

NOTICES OF FINAL RULEMAKING

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* 1st as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Arizona Administrative Register* after the final rules have been submitted for filing and publication.

NOTICE OF FINAL RULEMAKING

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

PREAMBLE

1. **Sections Affected**

R7-2-601	Amend
R7-2-602	Amend
R7-2-603	Amend
R7-2-606	Amend
R7-2-607	Amend
R7-2-1002	Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statutes: A.R.S. § 15-203(A) and 15-213

Implementing statutes: A.R.S. §§ 15-203(A)(18) and (23), and 15-213, both statutes as amended by House Bill 2417 (1996)
3. **Effective Date of the Rule:**

March 14, 1997
4. **A list of all previous notices appearing in the Register addressing the final rule:**

Notice of Rulemaking Docket Opening:
2 A.A.R. 1357, March 29, 1996

Notice of Rulemaking Docket Opening:
2 4025, September 20, 1996

Notice of Proposed Rulemaking:
2 4052, September 27, 1996
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Corinne L. Velasquez, Administrator

Address: State Board of Education
1535 West Jefferson, Room 418
Phoenix, Arizona 85007

Telephone: (602) 542-5057

Fax: (602) 542-3046
6. **An explanation of the rule, including the agency's reasons for initiating the rule:**

R7-2-601 through R7-2-608 are rules which set forth the requirements for certification of teachers and school personnel. The Board has adopted amendments to these rules to reflect statutory revisions and recent trends in teaching and certification requirements, including but not limited to renaming certificates, deletion of certificates and endorsements, changes in expiration dates, and changes in the period for which certificates are valid.

R7-2-1002 sets forth the applicability of Article 10. Statutory amendments to A.R.S. § 15-213 required the Board to increase the dollar amount for governing board delegation of procurement of construction or services.
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable.

Arizona Administrative Register
Notices of Final Rulemaking

8. The summary of the economic, small business and consumer impact:

Most of the rule changes will have no impact on the economy, small business, or consumer.

Collectively, the rule changes will reduce processing time, allowing teachers and administrators to be certified and employed in the field of their certificate more quickly. In addition, the rule change to R7-2-1002 may also reduce processing time at the school district level.

Deletion of a certificate or endorsement would mean that the applicant (consumer) would not have to pay for processing the certificate, although an employer could require the same coursework as a condition of employment. Applicants could become employed without taking a specified set of courses formerly required for certification, reducing their costs for tuition and other training.

Reduction of coursework required for issuance of the Standard Certificates could impact consumers, universities, and the employing school districts. Teachers would have renewal options other than college coursework; if they choose other options, universities could see a reduction in tuition revenue. However, the impact could be offset by an increase in university-district collaboration to provide in-service education. The current requirements demand so much coursework in the 1st 8 years, that some new teachers, unable to afford the tuition, have lost their certification and have had to find employment in other fields. If fewer teachers take college coursework to maintain certification, the salary demands on districts could decrease. In fact, some districts have already renegotiated their salary schedules in reaction to recent legislation that dropped the requirement to obtain a Masters Degree or earn graduate coursework.

The increase in professional growth requirements and options for renewal of Standard Certificates could have the opposite effect as the situation discussed above. Small businesses, such as those that offer professional conferences, would stand to gain under the new rules. Universities could see an increase in enrollment from established teachers.

9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

In addition to several typographical errors that have been corrected, the following specific changes were made to the proposed rule and included in the final rule (subsection designations indicated below are references to the final rule):

R7-2-601

Subsection A: "~~from regionally~~" was changed to "~~from a regionally~~" to add an omitted word; "issuance of a temporary," was changed to "issuance of a ~~temporary~~," to omit "temporary" as temporary certificates will no longer be issued.

Subsection K: "~~in the year of expiration~~" was added for clarification.

Subsection N.1.: "~~or~~" changed to "or", leaving in the current language; "~~or Temporary~~", proposed as new language was taken out as temporary certificates will no longer be issued; "~~or renewed~~", proposed as new language is taken out as unnecessary language; "~~July 1, 1995~~" was changed to "July 1, 1995 1997" to indicate that only the year is to be changed; "~~July 1, 1997~~", proposed as new language is taken out as unnecessary language.

Subsection N.1.b.: "~~and must be completed during the last valid period of the certificate~~" was reworded to read, "The professional growth program must be completed during the period between the most recent issuance of the renewal or issuance and this application for renewal" for clarification of intent.

Subsection N.2.: "~~or Temporary~~", proposed as new language was taken out as temporary certificates will no longer be issued; "~~or convert~~" was added to allow for conversion of the temporary certificates issued prior to this amendment; "~~and must be completed during the last valid period of the certificate~~" was reworded to read, "The professional growth program must be completed during the period between the most recent issuance of the renewal or issuance and this application for renewal" for clarification of intent.

Subsection O.1.: "~~programs~~" was changed to "program" to correct an error; "~~taken during the last valid period of the certificate being renewed~~", proposed as new language was taken out as unnecessary language.

Subsection O.1.c.: "~~Activities within a school district~~" was changed to "District inservices" for clarification of intent.

Subsection O.1.d.: "~~non-public school~~" was changed to "business" for clarification of intent.

Subsection U.: Reworded for clarification of intent.

Subsection V.: "~~and notarized~~" was changed to "~~and notarized~~" to delete an unnecessary requirement.

R7-2-602

Subsection B.2.: A comma (,) was added after the word "period" to correct a punctuation error.

Subsection B.5.: "~~the performance~~" was added for clarification of intent; "temporary or" was changed to "~~temporary or~~" as the temporary certificate will no longer be issued.

R7-2-603

Subsection E.: "~~non-teaching~~" was changed to "other professional" for clarification of intent.

Subsection F.2.: Leave in the entire subsection (2) which was proposed to be deleted and renumber as subsection "5", in response to public comment received related to the School Psychologist Certificate.

Arizona Administrative Register
Notices of Final Rulemaking

Subsection G.3.b.: Leave in "including" which was proposed to be deleted; take out "to include" which was proposed to be added, for correction of sentence structure.

Subsection H.: Subsection was changed to conform to a newly certified amendment to this subsection, adopted after language of this amendment was proposed.

Subsection I.: Leave in the entire subsection which was proposed to be deleted (as subsection L) and reletter as subsection "I", in response to public comment received related to the Adult Education Certificate.

R7-2-606

Subsection 1.: Leave in the entire subsection (1) which was proposed to be deleted and rewrite requirements for a Library Media Specialist Endorsement, in response to public comment.

Subsection 3.: Leave in the entire subsection which was proposed to be deleted in response to public comment; renumber from "4" to correct sequence; "An" was added to (a) for clarification;

"A valid" was added to (b) for clarification of intent; "accident" was changed to "accidents" for clarification of intent.

Subsection 4.: Renumbered from "2" to correct sequence; changed "who" to "whose" to correct an error.

Subsection 4.b., c.: "special subject" was changed to "content" for clarification of intent.

Subsection 5.: Renumbered from "2" to correct sequence; reference in (b) to another subsection "(4)" was changed to "(6)" to accommodate renumbering.

Subsection 6.: Renumbered from "4" to correct sequence.

Subsection 6.d.: Leave in "~~Spanish and~~" as current language; delete new language proposed ", which shall be verified in writing by an official designated by the appropriate tribe"; leave in the language proposed to be deleted in subsections (i) and (ii); in response to public comment received related to the Spanish proficiency test.

Subsection 7.: Renumbered from "5" to correct sequence; reference in (a) and (b) to another subsection "(6)" was changed to "(8)" to accommodate renumbering.

Subsection 8.: Renumbered from "6" to correct sequence; change reference to another subsection "5" to "7"; change all references to another subsection "6" to "8"; to accommodate renumbering of subsection.

Subsection 9.: Renumbered from "7" to correct sequence.

Subsection 10.: Renumbered from "8" to correct sequence.

Subsection 11.: Renumbered from "9" to correct sequence.

Subsection 12.: Renumbered from "10" to correct sequence.

Subsection 13.: Renumbered from "11" to correct sequence.

R7-2-607

Introductory subsection: Delete the subsection designation "A" to conform with rules related to subsection lettering.

Subsection 3.a.: "6000" changed to "six thousand" for consistency.

Subsection 11.a.ii.(1) and (2): Combine (1) and (2) with subsection (ii) to conform with rules related to subsection lettering/numbering; change "2000" to "two thousand" for consistency; "clock" was added for consistency and correction of an omitted word.

Subsection 11.b.i.: Change "6000" to "six thousand" for consistency; "clock" was added for consistency; "be taught" was added for consistency.

Subsection 13, proposed as added language, was deleted from the final version of the rule as the Driver Education Certificate will remain an Endorsement under R7-2-603.

Subsection 13: Renumbered from "14" to correct sequence.

10. A summary of the principal comments and the agency response to them:

There were 21 individuals who addressed the Board during the public hearing related to the proposed changes, with the majority of those individuals opposed to specific portions of the rules. In addition, the Board received numerous letters from individuals also opposed to those same portions of the rules. Primarily, the opposition to the proposed rules focused on the deletion of the School Library Media Specialist Endorsement, deletion of the Driver Education Endorsement, deletion of the School Psychologist Endorsement, deletion of the Adult Education Certificate and deletion of the School Nurse Certificate. The arguments presented regarding the deletion of these endorsements and certificate included the importance of continuing these requirements to insure adequate education, training and knowledge in these specific areas. Department of Education staff met with representatives from all of the constituent groups and proposed compromise positions related to these areas. As a result, the adopted rules include a revised version of the Library Media Specialist Endorsement and the Driver Education Endorsement and School Psychologist Endorsement will remain as in current language. In addition, the Adult Education Certificate was also maintained. The School Nurse Certificate was deleted as proposed, but only after an assurance from the State Board of Nursing that they would establish

Arizona Administrative Register
Notices of Final Rulemaking

requirements for a School Nurse Certificate.

There were no arguments made specifically in favor of the proposed rules as a whole. However, comments were received in the Board office and the Certification office from individuals who had temporary certificates and who had not obtained a Master's Degree, which was a requirement for issuance of a Standard Certificate. These individuals either had certificates which would expire in the next year or had certificates that expired last July and could not be renewed under the current rules which required a Master's Degree. The rules as adopted eliminate the requirement for a Master's Degree, pursuant to statutory changes from the last legislative session. There were, therefore, comments made from these individuals in favor of the proposed rules related specifically to the deletion of the Master's Degree requirement.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:
Not applicable.
12. Incorporations by reference and their location in the rules:
None.
13. Was this rule previously adopted as an emergency rule?
Not applicable.
14. The full text of the rules follows:

TITLE 7. EDUCATION

CHAPTER 2. STATE BOARD OF EDUCATION

ARTICLE 6. CERTIFICATION

- R7-2-601. General Certification Provisions
- R7-2-602. Alternative Certification
- R7-2-603. Teacher Certificate Requirements
- R7-2-606. Endorsements
- R7-2-607. Vocational Education Certification

ARTICLE 10. SCHOOL DISTRICT PROCUREMENT

- R7-2-1002. Applicability

ARTICLE 6. CERTIFICATION

R7-2-601. General Certification Provisions

- A. ~~The State Board of Education may accept a valid certificate from another state for issuance of a like Arizona certificate. The State Board of Education shall issue a comparable Arizona certificate, if 1 is established pursuant to R7-2-603 or R7-2-607, to an applicant who holds a valid certificate from another state and possesses a Bachelor's or higher degree from a regionally accredited institution as defined in subsection (G). Such certificates shall be valid for 1 year. The allowable deficiencies of Arizona Constitution, United States Constitution, and passing the Arizona Teacher Proficiency Examination shall be satisfied prior to the issuance of a temporary, standard, or provisional certificate as provided in R7-2-603.~~
- B. No change.
- C. An applicant other than 1 with an institutional recommendation from a university or college with a program approved under paragraph (2) subsection (B) of this rule may be certified in the appropriate area if: 1. The applicant has completed a professional teacher education program at an a regionally institution accredited institution by an as defined in subsection (G).
 2. The applicant's credentials meet the requirements for certification set forth in subsection (B) of this rule.

In this subsection, approved regional accrediting associations are the New England Association of Schools and Colleges, Middle States Association of Colleges and Secondary Schools, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and Schools, and Western Association of Schools and Colleges.

- D. Complete, official transcripts, a an notarized application for certification, and the appropriate fee(s) are required for an official evaluation to determine if the applicant meets the qualifications for certification. Course descriptions, letters verifying employment, and other documents may be required to assist in the evaluation to determine if the applicant meets the requirements as specified in this Article, to complete evaluation.
- E. Evaluations will be honored for 2 years from the date of the evaluation. Requirements must be satisfied and a certificate issued prior to the expiration of the evaluation, or the applicant must reapply and will be subject to rules in effect at the time of reapplication.
- F. No change.
- G. No change.
- H. ~~Graduates of unaccredited institutions who have completed 10 semester hours of upper division or graduate credit from an accredited institution and who meet all other Board requirements may be issued a 6 year certificate on a 1 year basis, contingent upon their completing within that year an additional 6 semester hours of acceptable upper division or graduate credit from an accredited institution. The certificate shall then be extended for the balance of the 6 year period.~~
- I. High school teaching or subject assignments are the responsibility of the employing district board. Teachers teaching in a State Board-required academic subject area shall have the major or minor in the subject area specified on the certificate as indicated below. A major shall consist of a minimum of 30 semester hours, and a minor shall consist of a minimum of 18 semester hours.
 1. English: shall have a major or minor in English, Communication Arts, Language Arts, Literature, or English as a Second Language.
 2. Essentials, sources, and history of the constitutions of the United States and Arizona, and instruction in American institutions and ideals in the history of Arizona: shall have a major or minor in any regional history or regional geography, Social Studies, History, U.S. History, Government, or Political Science.
 3. World history/geography: shall have a major or minor in History, Soviet History, Latin American History, Oriental Studies, Latin American Studies, Geography, or Anthropology.

Notices of Final Rulemaking

4. ~~Essential and Benefits of the Free Enterprise System: shall have a major in any subject area.~~
- 5.4. ~~Mathematics: shall have a major or minor in Mathematics.~~
- 6.5. ~~Science: shall have a major or minor in Science, Agriculture, Biology, Botany, Chemistry, Engineering, Earth Science, Geology, Meteorology, Physical Science, Physics, or Zoology.~~
- 7.6. ~~Fine Arts: shall have a major or minor in Art, Dance, Drama, Music, Speech and Drama, or Speech.~~
- 8.7. ~~Vocational Education: shall have a major or minor in Marketing Education, Agriculture Education, Technology Education, Business Education, or shall meet the occupational or educational requirements specified on the certificate for that vocational technological program area.~~
- J.I. Teacher aide experience will not be accepted as teaching credit for Arizona public school certification. Verified, full-time prekindergarten teaching experience will be accepted as teaching credit for K-8 certification and verified, full-time postsecondary teaching experience will be accepted as teaching credit for 7-12 certification.
- K.I. Teachers of homebound students shall hold the same level of certificate that is required of a classroom teacher, elementary or secondary.
- L.K. ~~All certificates will expire on July 1 of a given year. All 1-year certificates shall expire 1 year from the date of issuance. All certificates issued for a period extending beyond 1 year shall expire on the holder's birth date in the year of expiration.~~
- L. A certificate may be renewed within 4 1 years year after it expires, and within 6 months before it expires in accordance with the renewal requirements specified in subsection (N). M. Those persons who hold certificates which have been expired for more than 4 1 years year must reapply for certification under the requirements in ~~force effect~~ at the time of reapplication.
- M. ~~Applicants possessing a valid Basic or Standard certificate issued prior to July 1, 1995, may renew the certificate 1 time based on:~~
 1. ~~Verification from employer of continuous satisfactory teaching, or approved leave granted by a school board during the last valid period of the certificate being renewed; or~~
 2. ~~Verification from employer of continuous employment with an educational agency or institution during the last valid period of the certificate being renewed.~~
- N. Renewable 6-year certificates.
 1. Applicants possessing a valid Basic or Standard certificate issued ~~before prior to~~ July 1, 1995 1997, may renew the certificate based on evidence of continuous satisfactory teaching, other appropriate educational employment, approved leave granted by a school board during the last valid period of the certificate, or as specified below.
 1. Requirements are:
 - a. Completion of 6 semester hours of upper division or graduate credit from an accredited institution taken since the last renewal of the certificate to be renewed; or
 - b. If a program is offered, verification from the Department of Education, a county school superintendent, a school district, or the Dean of a College of Education of completion of a Department of Education approved that the applicant has completed a professional growth program as specified in subsection (O). A professional growth program shall consist of completion of 90 clock hours of continuing professional education, with 15 clock hours equal to 1 semester hour. The professional growth program must be completed during the period between the most recent issuance of the renewal or issuance and this application for renewal.
2. An assurance from the State Superintendent of Public Instruction, county superintendent, school district superintendent, or a Dean of a College of Education that a professional growth program meets the criteria specified shall be submitted to the Department of Education by January 1 of each year. A professional growth program shall consist of completion of 90 clock hours of continuing professional education, with 15 clock hours equal to 1 semester hour. Professional growth programs shall also include the formation of a Professional Growth Committee which, as a minimum, shall include an academic instructor, administrator, and 2 additional individuals. For renewal of Vocational Educational certificates, the committee shall consist of, as a minimum, an academic instructor, administrator, vocational instructor, and a business industry representative from the applicant's program that are acceptable for determining 90 clock hours, based on:
 - a. Courses from accredited colleges and universities, including correspondence courses.
 - b. Professional activities such as seminars, institutes, conventions, and workshops.
 - c. Activities within a school district which are designed for professional growth.
 - d. Practical activities, such as internships in non-public school settings.
 - e. Foreign travel.
2. Applicants possessing a valid Standard certificate issued or renewed on or after July 1, 1997, or a Temporary certificate issued after January 1, 1984, may renew or convert the certificate based on verification from the Department of Education, a county superintendent, a school district, or the Dean of a College of Education that the applicant has completed a professional growth program as specified in subsection (O). A professional growth program shall consist of completion of 180 clock hours of continuing professional education, with 15 clock hours equal to 1 semester hour. The professional growth program must be completed during the period between with the most recent issuance of the renewal or issuance and this application for renewal.
- O. Professional growth program.
 1. A professional growth program may be offered by the Department of Education, a county school superintendent, a school district, or the Dean of a College of Education and shall consist of any of the following activities:
 - a. Courses from accredited colleges and universities related to education or a subject area taught in Arizona public schools, including correspondence courses;
 - b. Professional activities such as seminars, institutes, conventions and workshops;
 - c. District inservices which are designed for professional growth;
 - d. Practical activities, such as internships in business settings;
 - e. Educational research;
 - f. Serving in a professional leadership role;
 - g. Serving on a regional accreditation team such as North Central Accreditation.
 2. Activities listed in subsections (O)(1)(a) through (g) may be sponsored or conducted by any group or organization.

Arizona Administrative Register
Notices of Final Rulemaking

O-P. A provisional vocational certificate as defined in R7-2-607, may be renewed for an additional 12-year period upon completion of 5 2 semester hours of course work toward the basic vocational certificate in the same vocational area.

P-Q. Teachers holding valid elementary, secondary, or special education certificates and continuing to maintain these certificates will not be subject to the general education requirements when applying for additional certificates.

Q-R. All teachers' certificates issued by the State Board of Education prior to the effective dates of R7-2-601, R7-2-602, R7-2-603, R7-2-606, and R7-2-607 are deemed issued in conformance with these rules.

R-S. The Director of Certification shall be responsible for:

1. Issuance of the appropriate certificates based on the applicant's meeting the Board requirements.
2. Collection of proper fees for certification services and the transmittal of said funds to the State Treasurer.
3. Implementation of all certification rules and regulations.

S-T. A course or examination covering the Arizona and U.S. Constitutions is required prior to or during the initial year of certification for all Arizona certifications ~~certificates~~, except for substitute, adult education, adult vocational, and professional nonteaching certificates.

T-U. ~~Certificates may be issued on a 1-year basis to those Applicants who have deficiencies in Arizona or U.S. Constitutions, reading, or mathematics content course work but meet all other Board requirements specified shall be issued a certificate for 1 year which may not be extended.~~

U. ~~Applicants who possess a temporary certificate which expires during the years 1993, 1994, 1995, or 1996 and who have completed at least 20 semester hours of upper division or graduate course work may request a 1-year extension of the certificate. The applicant must complete at least 5 semester hours of upper division or graduate course work during each 1-year extension period to be eligible to apply for additional extensions. A maximum of 4 extensions may be granted.~~

V. Conviction of criminal offenses. Applicants shall certify on forms that are provided by the Department of Education and notarized whether they are awaiting trial on, or have ever been convicted of, or have admitted in open court or pursuant to a plea agreement committing any offense listed in A.R.S. § 15-534(F). Applicants for certification shall not be required to disclose information regarding misdemeanor offenses other than those listed in A.R.S. § 15-534(F).

1. Moral and professional character. Applicants shall certify on forms that are provided by the Department of Education and notarized whether they are awaiting trial on, or have ever been convicted of, or have admitted in open court or pursuant to a plea agreement committing any felony offense. The State Board of Education shall consider evidence of whether an applicant is awaiting trial on, was ever convicted of, or ever admitted in open court or pursuant to a plea agreement committing any felony offense to determine whether the applicant has engaged in immoral or unprofessional conduct pursuant to A.R.S. § 15-203(A)(24). Felony offenses are subject to the review process in accordance with subsection (V)(2).
2. Review process. In determining whether to revoke, issue, or renew certification of a person who has been convicted of or admitted in open court or pursuant to a plea agreement committing any felony offense or any criminal offense listed in A.R.S. § 15-534(F) but not listed in subsection (V)(3), the Board shall consider all relevant and reliable evidence submitted on behalf of any party interested in the certification. ~~In reviewing the nature of the offense, the The Board shall examine the date of the~~

~~offense, the nature of the offense, whether the offense involved moral turpitude, the judicial disposition of the conviction, the age of the person at the time the offense was committed, and all aggravating and mitigating circumstances of the offense. In reviewing the potential for crimes against children, the The Board shall also examine the criminal record of the person and the potential for crimes against children.~~

1-3. Offenses that are not subject to review. The Board shall revoke, not issue, or not renew the certification of a person who has been convicted of or admitted in open court or pursuant to a plea agreement committing any of the following criminal offenses in this state or similar offenses in another jurisdiction:

- a. Sexual abuse of a minor,
- b. Incest,
- c. First-degree murder,
- d. Sexual assault,
- e. Sexual exploitation of a minor,
- f. Commercial sexual exploitation of a minor,
- g. A dangerous crime against children as defined in A.R.S. § 13-604.01,
- h. Armed robbery,
- i. Sexual conduct with a minor,
- j. Molestation of a child,
- k. Exploitation of minors involving drug offenses.

R7-2-602. Alternative Certification

A. ~~Teacher intern policy: The State Board may issue a temporary certificate which is valid for 2 years, is nonrenewable, and is designed to provide for the professional improvement needs of the young developing professionals. During this 2-year intern program, the teach will have available the expertise of the district and the teacher training institution. Successful completion of 4 semesters of an intern program will culminate in a district and university recommendation of a basic certificate. The instructional programs may include:~~

1. ~~Conference after observations;~~
2. ~~Informal discussions with local and university experts;~~
3. ~~Evening and summer seminars;~~
4. ~~Content course work;~~
5. ~~Reading assignments;~~
6. ~~Independent projects providing individual instruction to concentrate on individual needs;~~
7. ~~Other instructional programs;~~
8. ~~Each teacher education institution is requested to submit to the State Board of Education a 2-year intern program for consideration and eventual approval by the Board.~~

B.A. Alternative secondary certificate: The State Board shall issue a 1-year, nonrenewable, alternative secondary certificate which is valid only for teaching in grades 7-12. ~~If not used, this certificate may be updated to be valid for the subsequent year in accordance with R7-2-601(Q).~~ Requirements are:

1. Bachelor's degree from a regionally accredited institution, as defined in R7-2-601(G).
2. ~~Passing score on the proficiency examination pursuant to A.R.S. § 15-203(A)(24) of the Arizona Teacher Proficiency Examination.~~
3. A major in each subject to be taught, from a regionally accredited institution as verified by that institution; or a minimum of 30 semester hours in each subject to be taught, from a regionally accredited institution and a passing score on a State Board-approved examination in each subject area to be taught.

C.B. Alternative certification training program: Within 30 days after issuing entering into a teaching contract, to an individual with an alternative secondary certificate, ~~the employing school~~

Arizona Administrative Register
Notices of Final Rulemaking

district shall implement begin a teacher training program in conjunction with either the Department of Education or a college or university having an Arizona secondary certification program approved pursuant to R7-2-601(B). The alternative certification training program shall consist of 3 phases and contain the following:

1. Four weeks of training to be equally divided between secondary classroom activities and academic instruction on topics which include knowledge of adolescence, classroom management and instruction, development of curriculum, and foundations of education. During this 4-week period the alternatively certificated teacher shall not have any teaching responsibility for students and must be assigned to work with a certificated secondary teacher.
2. Ten weeks of secondary classroom teaching and training in which the alternatively certificated teacher has responsibility for the classroom under the direction of an evaluation team or any of its members as described in subsection (B)(4). The team or any of its members shall observe the alternatively certificated teacher for a minimum of 1 full teaching period each week. During this 10-week period, the alternatively certificated teacher shall also have 40 hours of release time distributed throughout the 10 weeks to allow for continuing academic instruction.
3. Twenty weeks of classroom teaching during which the alternatively certificated teacher has sole responsibility for the classroom. Academic instruction shall continue on such topics as prescribed in subsection (B)(1). Observation by the team or any of its members shall continue for a minimum of 1 full teaching period each month.
4. The evaluation team shall be comprised of at least the following:
 - a. One teacher with a basic or standard secondary certificate;
 - b. A content area specialist;
 - c. A representative from the Department of Education or from a college or university with an Arizona secondary certification program approved pursuant to R7-2-601(B); and
 - d. A school district evaluator qualified pursuant to A.R.S. § 15-537(D).
5. This The evaluation team shall evaluate the performance of the alternatively certificated teacher after each phase of the training program. A person who successfully completes the training program will shall not be obligated required to meet the usual professional preparation requirements specified for the temporary or standard secondary teaching certificate.

D. Provisional alternative superintendent certificate.

The State Board may issue a provisional alternative superintendent certificate which is valid for 2 years, is nonrenewable and is valid for grades K-12. If not used, this certificate may be updated to be valid for subsequent 2-year periods. Employment utilizing this certificate is limited to a school district which has an administrative staff structure that includes an individual who is certified at the superintendent's level to supervise curriculum and instruction. Requirements are:

1. A Master's or more advanced degree and demonstrated skills in organization planning, program development and staff development; and
2. Eight years or more of administrative experience as an executive officer or manager of a business or educational institution.

E.C. Alternative superintendent certificate.

The State Board may issue an alternative superintendent certificate which is valid for 6 years, is renewable and is valid for grades K-12. Requirements are:

1. Qualified for and held a 2-year provisional alternative superintendent certificate. A Master's or more advanced degree and demonstrated skills in organization planning, program development and staff development; and
2. Written verification from a local governing board that applicant completed 2 years of administrative experience as a superintendent while possessing a provisional alternative superintendent certificate issued pursuant to this rule. Eight years or more of administrative experience as an executive officer or manager of a business or educational institution; and
3. Completion, within the 2 years of the provisional alternative superintendent certificate of 12 semester hours of education course work from a school administration program regionally accredited institution as defined in R7-2-601(G), by the National Council for Accreditation of Teacher Education. Such school administration courses course work shall include school law, school finance, and school administration.

R7-2-603. Teacher Certificate Requirements

- A. No change.
- B. Elementary certificates. Two courses in reading are required prior to or during the initial 1st year of certification for all elementary certificates. Mathematics content course work is required prior to or during the initial 1st year of certification for all elementary certificates.
 1. Temporary Standard elementary certificate -- grades K-8, valid 8 6 years, nonrenewable. Requirements are:
 - a. A Bachelor's degree from a regionally accredited institution.
 - b. A general studies program as established by completion of a Bachelor's degree to include:
 - i. A minor of 18 semester hours in content area.
 - ii. Six semester hours in mathematics content coursework to include the following:
 - (1) Number systems through the rational numbers;
 - (2) Informal geometry including measurement, graphing, geometrical construction, similarity, and congruence;
 - (3) Advanced topics in mathematics including the real number system, elementary probability and statistics, coordinate geometry, number theory, and algebra;
 - (4) Applications of technology, including computers and calculators.
 - iii. Eight semester hours in science content course work to include the following:
 - (1) Biology and physical science;
 - (2) The societal, personal, and career applications of science;
 - (3) The use of inductive and deductive strategies that involve scientific investigation, interpretation of findings, and communication of results.
 - iv. Nine semester hours of fine arts (dance, dramatic arts, music, or visual arts).
 - c. Forty-five semester hours in a major in elementary education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching within grades K-8 or 2

Arizona Administrative Register
Notices of Final Rulemaking

- academic years of verifiable, full-time teaching experience within grades prekindergarten-8.
- d. Passing of the Arizona Teacher Proficiency Examination.
2. ~~Standard elementary certificate -- grades K-8, valid 6 years, renewable as specified in R7-2-601(N). Requirements are:~~
- a. ~~Qualify for the temporary elementary certificate.~~
 - b. ~~Completion of a Master's degree program from a regionally accredited institution or complete 40 semester hours of upper division or graduate course work from:~~
 - i. ~~A regionally accredited institution.~~
 - ii. ~~In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.~~
- C. Secondary certificates:
1. ~~Temporary Standard secondary certificate -- grades 7-12, valid 6 years, nonrenewable renewable. Requirements are:~~
- a. A Bachelor's degree from a regionally accredited institution.
 - b. A 30-semester hour major in a subject taught in Arizona high schools. Mathematics majors shall have a minimum of 15 semester hours in calculus or other mathematics courses for which calculus is a prerequisite.
 - c. Thirty semester hours of secondary professional education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching within grades 7-12 or 2 academic years of verifiable, full-time teaching experience within grades 7-postsecondary. Mathematics majors shall have a minimum of 3 semester hours in methods of teaching secondary mathematics.
 - e.d. Passing of the Arizona Teacher Proficiency Examination.
2. ~~Standard secondary certificate -- grades 7-12, valid 6 years, renewable as specified in R7-2-601(N). Requirements are:~~
- a. ~~Qualify for the temporary secondary certificate.~~
 - b. ~~Complete a Master's degree program or complete 40 semester hours of upper division or graduate course work from:~~
 - i. ~~A regionally accredited institution.~~
 - ii. ~~In-service programs will be approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.~~
- D. Special education certificates. Mathematics content course work is required prior to or during the initial year of certification for special education certificates. Terms used in this subsection are as defined in A.R.S. § 15-761.
1. ~~Temporary Standard special education certificate -- grades K-12, valid 6 years, nonrenewable renewable. May be issued in the areas of mental retardation, emotional disability, learning disability, and orthopedic impairment. Requirements are:~~
- a. A Bachelor's degree from a regionally accredited institution to include 6 semester hours in mathematics content course work to include the following:
 - i. Number systems through the rational numbers;
 - ii. Informal geometry including measurement, graphing, geometrical constructions, similarity, and congruence;
 - iii. Advanced topics in mathematics including the real number system, elementary probability and statistics, coordinate geometry, number theory, and algebra;
 - iv. Applications of technology, including computers and calculators.
- b. Eight semester hours in science content course work to include the following:
 - i. Biology and physical science;
 - ii. The societal, person, and career applications of science;
 - iii. The use of inductive and deductive strategies that involve scientific investigation, interpretation of findings, and communication of results.
- c. Nine semester hours of fine arts (dance, dramatic arts, music, or visual arts).
- d. Forty-five upper division undergraduate or any graduate semester hours of education courses at a regionally accredited institution. Twenty-one of these semester hours must be in special education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching in a specific special education area of exceptionality within grades K-12 or 2 academic years of verifiable, full-time teaching experience in a specific special education area of exceptionality with grades K-12.
- f.e. ~~Pass~~ Passing of the Arizona Teacher Proficiency Examination.
2. ~~Standard special education certificate -- grades K-12, valid 6 years, renewable as specified in R7-2-601(N). May be issued in the areas of mental retardation, emotional disability, learning disability, and orthopedic impairment. Requirements are:~~
- a. ~~Qualify for the temporary special education certificate.~~
 - b. ~~A Master's degree or completion of 40 semester hours of upper division undergraduate or any graduate courses from:~~
 - i. ~~A regionally accredited institution.~~
 - ii. ~~In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.~~
- 3-2. Temporary Standard severely and profoundly handicapped certificate -- grades K-12, valid 6 years, nonrenewable renewable. Requirements are:
- a. A Bachelor's degree from a regionally accredited institution.
 - b. Forty-five upper division undergraduate or any graduate semester hours of education courses at a regionally accredited institution. Twenty-one of these semester hours must be in special education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching in the area of severely and profoundly handicapped within grades K-12 or 2 academic years of verifiable, full-time teaching experience in the area of severely and profoundly handicapped within grades prekindergarten -12.
 - c. ~~Pass~~ Passing of the Arizona Teacher Proficiency Examination.
4. ~~Standard severely and profoundly handicapped certificate -- grades K-12, valid 6 years, renewable as specified in R7-2-601(N). Requirements are:~~
- a. ~~Qualify for the temporary severely and profoundly handicapped certificate.~~

- b. ~~A Masters degree or completion of 40 semester hours of upper division undergraduate or any graduate courses from:~~
 - i. ~~A regionally accredited institution.~~
 - ii. ~~In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.~~
- 5.3. Temporary Standard hearing handicapped certificate—grades K-12, valid 8 6 years, ~~nonrenewable~~ renewable. Requirements are:
 - a. A Bachelor's degree from a regionally accredited institution,
 - b. Forty-five upper division undergraduate or any graduate semester hours of education courses at a regionally accredited institution. Twenty-one of these semester hours must be in special education to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching in the area of hearing handicapped within grades K-12 or 2 academic years of verifiable, full-time teaching experience in the area of hearing handicapped within grades prekindergarten-12.
 - c. ~~Pass Passing of the Arizona Teacher Proficiency Examination.~~
- 6. ~~Standard hearing handicapped certificate—grades K-12, valid 6 years, renewable as specified in R7-1-601(N).~~ Requirements are:
 - a. ~~Qualify for the temporary hearing handicapped certificate.~~
 - b. ~~A Master's degree or completion of 40 semester hours of upper division undergraduate or any graduate courses from:~~
 - i. ~~A regionally accredited institution.~~
 - ii. ~~In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not~~
- 7.4. Temporary visually Visually handicapped certificate—grades K-12, valid 8 6 years, ~~nonrenewable~~ renewable. Requirements are:
 - a. A Bachelor's degree from a regionally accredited institution.
 - b. Forty-five upper division undergraduate or any graduate semester hours of education courses from a regionally accredited institution. Twenty-one of these semester hours must be in special education, to include courses which teach the skills as set forth in R7-2-605, including at least 8 semester hours of student teaching in the area of visually handicapped within grades K-12 or 2 academic years of verifiable, full-time teaching experience in the area of visually handicapped within grades prekindergarten-12.
 - c. ~~Pass Passing of the Arizona Teacher Proficiency Examination.~~
- 8. ~~Standard visually handicapped certificate—grades K-12, valid 6 years, renewable as specified in R7-2-601(N).~~ Requirements are:
 - a. ~~Qualify for the temporary visually handicapped certificate.~~
 - b. ~~A Master's degree or completion of 40 semester hours of upper division undergraduate or any graduate courses from:~~
 - i. ~~A regionally accredited institution,~~
 - ii. ~~In-service programs approved based on 15 classroom hours of being equivalent to 1~~
- semester hour of credit, not to exceed 10 semester hours.
- 9.5. Temporary Standard speech and language therapy certificate -- grades K-12 valid 8 6 years, ~~nonrenewable~~. Requirements are:
 - a. A Bachelor's degree from a regionally accredited institution.
 - b. Forty-five upper division undergraduate or any graduate semester hours of education courses from a regionally accredited institution. Thirty of these semester hours must be in speech and language, to include courses which teach the skills as set forth in R7-2-605, including a minimum of 200 clock hours of supervised clinical practice in speech and language disorders. All clinical practice clock hours must be supervised by an American Speech and Language Association-certified pathologist or by a state-certified speech and language therapist and must be earned in a program taken from ~~conducted~~ by a regionally accredited institution.
 - c. ~~Pass Passing of the Arizona Teacher Proficiency Examination.~~
- 10. ~~Standard speech and language therapy certificate—grades K-12, valid 6 years, renewable as specified in R7-2-601(N).~~ Requirements are:
 - a. ~~Qualify for the temporary speech and language therapy certificate.~~
 - b. ~~A Master's degree or completion of 40 semester hours of upper division undergraduate or any graduate course from:~~
 - i. ~~A regionally accredited institution,~~
 - ii. ~~In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.~~
 - c. ~~Complete a total of 275 clock hours of supervised clinical practice in speech and language disorders. These clinical clock hours may include those required for the temporary speech and language therapy certificate. All clinical practice clock hours must be supervised by an American Speech and Language Association-certified pathologist or by a state-certified speech and language therapist and must be earned in a program taken from a regionally accredited institution.~~
- 11.6. Provisional early childhood handicapped certificate -- preschool, valid 5 years, nonrenewable. Requirements are to possess a valid Arizona temporary or standard special education certificate.
- 12.7. Temporary Standard early childhood handicapped certificate -- preschool, valid 8 6 years, ~~nonrenewable~~ renewable. Requirements are:
 - a. A Bachelor's degree from a regionally accredited institution.
 - b. Forty-five upper division or graduate semester hours of education courses from a regionally accredited institution. Twenty-one of these semester hours shall be in early childhood and early childhood special education to include the following courses which teach the skills as set forth in R7-2-605 (10).
 - i. Courses shall cover the following content areas: foundations of early childhood handicapped; survey of exceptional children; developmental assessment of preschool handicapped; methods of teaching preschool handicapped children; study of child growth and development; normal and atypical lan-

Arizona Administrative Register
Notices of Final Rulemaking

- guage development; observation, participation, and field experience with preschool children; behavior management.
 - ii. Other course content may include: play as an instructional strategy; working with families of handicapped children and culturally diverse populations; a typical development of preschool children (0-5 years); interdisciplinary and multi-disciplinary approaches to early childhood handicapped; early childhood handicapped adaptations for the severely handicapped child; theories of child development; introduction to research; and practicum in medical aspects of disabilities.
 - c. A minimum of 8 semester hours of student teaching in the area of early childhood handicapped preschool or 2 academic years of verifiable, full-time teaching experience in the area of early childhood handicapped. The student teaching hours shall not be included in the 21 semester hours of early childhood education course work.
 - d. Pass Passing of the Arizona Teacher Proficiency Examination.
13. ~~Standard early childhood handicapped certificate -- preschool, valid 6 years, renewable as specified in R7-2-601(N). Requirements are:~~
- a. ~~Qualify for the temporary early childhood handicapped certificate.~~
 - b. ~~A Master's degree or completion of 40 semester hours of upper division course work from:~~
 - i. ~~A regionally accredited institution.~~
 - ii. ~~In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.~~
- E. Administrative and other professional certificates.
1. ~~Provisional supervisor certificate -- valid for 1 year, non-renewable, prekindergarten-12. Requirements are:~~
- a. ~~Arizona elementary, secondary, or special education certificate;~~
 - b. ~~A Master's degree or more advanced degree from a regionally accredited institution;~~
 - c. ~~Three years of verifiable classroom teaching;~~
 - d. ~~Internship in educational supervision, or 2 years of verifiable, educational supervisory experience within grades prekindergarten-12;~~
 - e. ~~Written notification by the local governing board that the person is to be employed by the school district upon approval of the request for provisional certification;~~
 - f. ~~Written plan for the completion of certification requirements during the provisional period which indicates that applicant is within 12 graduate semester hours of completing regular Supervisory Certification requirements.~~
1. Guidance counselor certificate -- grades K-12, valid 6 years, renewable. Requirements are:
- a. A Master's degree from a regionally accredited institution; and
 - b. Completion of a graduate program in guidance and counseling from a regionally accredited institution to include a supervised counseling practicum.
2. Supervisor certificate -- renewable with concurrently held teaching certificate. Required for directors, supervisors, coordinators, consultants, or other titles with similar supervisory duties, prekindergarten-12. Requirements are:
- a. Arizona elementary, secondary, or special education certificate.
 - b. A Master's degree or more advanced degree from a regionally accredited institution.
 - c. Three years of verifiable classroom teaching.
 - d. A minimum of 45 graduate semester hours taken from a regionally accredited institution. This shall include the completion of an approved program in educational supervision which shall consist of a minimum of 18 graduate semester hours or a minimum of 18 graduate semester hours in educational administrative course work, either of which shall include courses which teach the skills as set forth in R7-2-605.
 - e. Internship in educational supervision, or 2 years of verifiable, educational supervisory experience within grades prekindergarten-12.
3. ~~Provisional principal certificate -- valid for 1 year, non-renewable, prekindergarten-12. Requirements are:~~
- a. ~~A Master's degree or more advanced degree from a regionally accredited institution.~~
 - b. ~~Three years of verifiable classroom teaching.~~
 - c. ~~Internship in educational principalship or 2 years of verifiable experience in the areas of principal, assistant principal, associate principal, or vice principal with grades prekindergarten-12.~~
 - d. ~~Written notification by the local governing board that the person is to be employed by the school district upon approval of the request for provisional certification.~~
 - e. ~~Written plan for the completion of certification requirements during the provisional period which indicates that applicant is within 12 graduate semester hours of completing regular principal certification requirements.~~
- 4-3. Principal certificate -- grades prekindergarten-12, valid for 6 years, renewable as specified in R7-2-601(N). Required for all principals, assistant principals, associate principals, or vice principals or others with similar administrative duties. Requirements are:
- a. A Master's degree or more advanced degree from a regionally accredited institution.
 - b. Three years of verifiable classroom teaching.
 - c. A minimum of 54 graduate semester hours taken from a regionally accredited institution. This shall include the completion of an approved program in educational administration for principals which shall consist of a minimum of 30 graduate semester hours in educational administrative course work, either of which shall include courses which teach the skills as set forth in R7-2-605.
 - d. Internship in educational principalship or 2 years of verifiable experience in the areas of principal, assistant principal, associate principal, or vice principal within grades prekindergarten-12.
5. ~~Provisional superintendent certificate -- valid for 1 year, nonrenewable, prekindergarten-12. Requirements are:~~
- a. ~~A Master's degree or more advance degree from a regionally accredited institution.~~
 - b. ~~Three years of verifiable classroom teaching.~~
 - c. ~~Internship in superintendency or 2 years of verifiable experience as a superintendent, assistant or associate superintendent with grades prekindergarten-12.~~
 - d. ~~Written notification by the local governing board that the person is to be employed by the school dis-~~

Arizona Administrative Register
Notices of Final Rulemaking

- trict upon approval of the request for provisional certification.
- e. ~~Written plan for the completion of certification requirements during the provisional period which indicates that applicant is within 12 graduate semester hours of completing regular superintendent certification requirements.~~
- 6.4. Superintendent certificate -- grades prekindergarten-12, valid for 6 years, renewable as specified in R7-2-601(N). Required for district chief executive officers regardless of title, superintendents, assistant or associate superintendents, and others with similar district-level administrative duties. Requirements are:
- a. A Master's degree or more advanced degree from a regionally accredited institution.
 - b. Three years of verifiable classroom teaching.
 - c. A minimum of 60 graduate semester hours taken from a regionally accredited institution. This shall include the completion of an approved program in education administration for superintendents which shall consist of a minimum of 36 graduate semester hours or a minimum of 36 graduate semester hours in educational administrative course work, either of which shall include courses which teach the skills set forth in R7-2-605.
 - d. Internship in superintendency or 2 years of verifiable experience as superintendent, assistant or associate superintendent within grades pre-kindergarten-12.
7. ~~Provisional supervisor of school psychologist certificate--grades prekindergarten-12, valid 1 year, nonrenewable. Requirements are:~~
- a. ~~Arizona school psychologist certificate.~~
 - b. ~~A Master's degree or more advanced degree from a regionally accredited institution.~~
 - c. ~~Three years of verifiable experience as a school psychologist certificate was required.~~
 - d. ~~An internship in educational supervision, or 2 years of verifiable, education supervisory experience within grades K-12.~~
 - e. ~~Written notification by the local governing board that the person is to be employed by the school district upon approval of the request for provisional certification.~~
 - f. ~~Written plan for the completion of certification requirements during the provisional period which indicates that the applicant is within 12 graduate semester hours of completing the supervisor of school psychologist certification requirements.~~
8. ~~Supervisor of school psychologist certificate--grades prekindergarten-12, renewable with concurrently held school psychologist certificate. Requirements are:~~
- a. ~~Arizona school psychologist certificate.~~
 - b. ~~A Master's degree or more advanced degree from a regionally accredited institution.~~
 - c. ~~Three years of verifiable experience as a school psychologist for which a valid school psychologist certificate was required.~~
 - d. ~~A minimum of 45 graduate semester hours. This shall include the completion of a State Board approved 18 graduate semester hour program in education administration or supervision or 18 graduate semester hours in educational administrative course work, either of which shall include courses which teach the skills as set forth in R7-2-605.~~
- e. ~~An internship in educational supervision, or 2 years of verifiable, educational supervisory experience within grades K-12.~~
- F. ~~Certified professional nonteaching personnel:~~
1. ~~School psychometrist certification--grades prekindergarten-12, valid 6 years, renewable as specified in R7-2-601(N). Requirements are: Applicants shall complete, as part of or in addition to a Master's degree or more advanced degree from a regionally accredited institution, 30 semester hours and a practicum of 100 clock hours in school psychometry in a school psychology program accredited by the American Psychological Association, National Association of School Psychologists, or a program in school psychometry from a regionally accredited institution. The completion of such a program must be verified in writing by the school psychology program director of the institution where completed.~~
 - 2.5. ~~School psychologist certificate--grades prekindergarten-12, valid 6 years, renewable as specified in R7-2-601(N). Requirements are:~~
 - a. ~~Complete, as part of or in addition to a Master's degree or more advanced degree from a regionally accredited institution, 60 graduate semester hours and an internship of 1000 clock hours in a school psychology program accredited by the American Psychological Association, National Association of School Psychologists, or a program in school psychology from a regionally accredited institution. The completion of such a program must be verified in writing by the institution where completed; or~~
 - b. ~~Written verification that applicant has been granted a diploma in school psychology by the American Board of Professional Psychology.~~
 3. ~~School nurse certification--grades prekindergarten-12, valid 3 years, renewable once, valid 6 years thereafter.~~
 - a. ~~Requirements for initial certification shall be possession of a valid Arizona Registered Nurse's License.~~
 - b. ~~Requirements for renewal of certificate shall be possession of a valid Arizona Registered Nurse's License and educational requirements established by the Arizona State Board of Nursing.~~
- G. ~~Noncertified professional nonteaching personnel. School districts shall use the following guidelines in employing school social workers.~~
1. ~~School social worker, guidelines only, no certification. Guidelines are Master of Social Work or equivalent professional social work degree from an accredited graduate school of social work; and 1 year of field instruction in a school system, 1 year of employment as a school social worker, or 6 semesters hours of organization, operation, or philosophy of public schools.~~
 2. ~~Assistant school social worker, guidelines only, no certification. Must be supervised by a school social worker employed by the same school district. Guideline is Master of Social Work or equivalent professional social work degree from an accredited school of social work.~~
- H.E. ~~Substitute certificate -- grades K-12, limited to 120 days of substitute teaching each school year, valid for 6 years and renewable for 6-year intervals by reapplication and payment of renewal fee, not subject to the provisions of R7-2-601(N).~~
1. ~~Entitles holder to substitute in the absence of a regular contract teacher, and may be extended by the county school superintendent beyond the 120-day limit at the request of local school district.~~
 2. ~~Requires a Bachelor's degree or completion of a teacher education program offered by a regionally accredited~~

institution, to include student teaching or 2 years of classroom teaching within grades K-12.

3. ~~The annual recording of a current certificate at the office of the county school superintendent revalidates the substitute certificate for payroll purposes in that county.~~

4. ~~3. A substitute teacher may not be used to fill a vacancy in a assigned a contract teaching position, and is limited to 120 days in the same school each school year.~~

5. ~~4. Substitute certificates previously issued as valid for life under this rule shall remain valid for life.~~

I.G. Emergency teaching certificate—valid 1 school year or part thereof.

1. Entitles holder to enter into a teaching contract.
2. Limited to elementary, secondary, special education, and special subject and nonteaching endorsements.
3. Application shall be filed no earlier than 30 days prior to opening of school. Requirements are:
 - a. ~~Verification of emergency by the school district superintendent, and concurrence by the county school superintendent, and approval by the Director of Certification that an emergency employment situation exists.~~ When the school requesting emergency status is a Bureau of Indian Affairs school, a Bureau of Indian Affairs grant school, or a tribally controlled or contract school, concurrence by a county school superintendent is not required.
 - b. A Bachelor's degree or ~~completion of a teacher education program, taken from a regionally accredited institution including student teaching or 2 years of classroom teaching within grades K-12.~~
4. Reissuance requirements are:
 - a. ~~Verification of emergency by the school district superintendent, and concurrence by the county school superintendent, and approval by the Director of Certification that an emergency employment situation exists.~~
 - b. Six semester hours toward the ~~meeting the requirements for certification for which application has been made, taken during the last valid period of the certificate.~~
 - c. ~~One course or examination in Arizona and United States Constitutions.~~

J.H. Emergency substitute certificate -- valid 1 school year or part thereof and limited to 120 days of substitute teaching in elementary, secondary, or special education. Applicant must possess a high school diploma for initial issuance of the certificate.

1. Entitles holder to substitute in the specified county.
2. Requires a request from the school district superintendent and concurrence by the county school superintendent. When the requesting school is a Bureau of Indian Affairs school, a Bureau of Indian Affairs grant school, or a tribally controlled or contract school, concurrence by a county school superintendent is not required.
3. Pursuant to R7-2-601(D) and (G), applicants shall submit verification of completion of a minimum of 30 semester hours of academic course work from a regionally accredited institution. Applicants who have not completed a minimum of 30 semester hours of academic course work must complete 2 semester hours of academic course work to qualify for each reissuance.
 - a. District in-service programs designed for professional growth of the certificate holder may be substituted for academic course work based on 15 in-service classroom hours for each semester hour.

- b. Verification of district in-service hours shall be made in writing by the district superintendent or personnel director and submitted to the Certification Unit when applying for this certificate.

4. The holder of an emergency substitute certificate may not fill a vacancy in a contract teaching position and may not serve in any 1 classroom more than 20 working days.

K.L. Teaching intern certificate. ~~Designed to provide for the professional improvement needs of the young developing professionals. Applicants who are in progress beyond the junior or 3rd year (90 semester hours) in an approved teacher preparation program in an Arizona institution may, upon recommendation of the Dean of the College of Education, receive an intern certificate. The following conditions are applicable:~~

1. This certificate is limited to a 2 1/2-year period and is not renewable.
2. ~~The intern program must be well defined and must be an experimental program to test ideas in teacher education. This certificate requires the recommendation of the Dean of a College of Education.~~
3. The intern certificate will entitle the holder to carry intern or paraprofessional duties in whatever grades or levels assigned.
4. The student must be engaged in clinical experience under the direct supervision of qualified college and school organization personnel.

L.I. Adult education certification—valid 6 years, renewable by reapplication and payment of renewal fee, not subject to the provisions of R7-2-601(N). May be issued in the areas of adult basic education, general education development, English as a second language, and citizenship. An adult education certificate to teach in any public school may be issued to individuals in the following categories for a period of 1 year.

1. A teacher in any college belonging to an approved accrediting association.
2. Holder of any Arizona teaching certificate.
3. An individual who has exhibited outstanding performance. The applicant must be a college graduate or have at least 5 years' successful experience in the field to be taught, supported by a letter of recommendation from another reputable worker in the same field and a letter of recommendation from the administrator for whom he intends to work to the effect that the individual is the best qualified teacher than available in that field. This certificate in and of itself does not entitle the holder to teach in a common school or high school for which regular state certification is required.

M. Associate teaching authorization—grades 9-12, valid for 1 year, renewable only twice.

1. ~~This authorization restricts the holder to teaching part-time or for no more than 1/2 of a school year.~~
2. ~~The holder of this authorization shall teach under the general supervision of a teacher holding a Temporary or Standard Certificate.~~
3. ~~The associate teacher must be evaluated at least once a semester by the principal of the school, the district superintendent, or head of the school district.~~
4. ~~The associate teacher may supervise pupils in instructional activities without the physical presence of certificated personnel.~~
5. ~~This authorization is restricted to the specific school and assignment covered by the local governing board contract.~~
6. ~~Holders of this authorization are subject to R7-2-2 (Certification, suspension and revocation).~~

Arizona Administrative Register
Notices of Final Rulemaking

7. An applicant for the State Board associate teacher authorization shall submit to the Department, Teacher Certification Division:
 - a. An application no earlier than 30 days prior to the opening of school.
 - b. A written notarized statement from the local governing board on letterhead stationery indicating that it is unable to hire an acceptable certified teacher for the position for the time period of the contract with the associate teacher.
 - c. Proof of receipt of a Bachelor's degree from a regionally accredited institution.
 - d. Evidence of a major of no less than 30 semester hours or a minor of no less than 18 semester hours in the subject to be taught.
8. In order to receive this authorization, an applicant must also:
 - a. Pass the reading, grammar, and mathematics components of the Arizona Teacher Proficiency Examination.
 - b. Demonstrate minimum teaching skills to the employing school district by undergoing a structured interview and presenting a teaching lesson. The interview and presentation of teaching lesson shall be conducted at the local school district.

R7-2-606. Endorsements

Endorsements are riders on certificates that note areas of expertise and, without fee, except as noted, are automatically renewed with concurrently held certificate certificates without fee. A regionally accredited institution shall be an institution as defined in R7-2-601(G). All endorsements are optional, except as noted. Optional endorsements may be required by local governing boards.

1. School librarian Library media specialist endorsement, grades K-12, optional. Requirements are:
 - a. Arizona elementary, secondary, or special education certificate
 - b. A Master's degree in library and information science or in education with a major in library and information science.
 - c. One year experience as a classroom teacher
 - a. Temporary school library media specialist endorsement, grades K-12, valid for 8 years, nonrenewable. Requirements are:
 - i. Arizona elementary, secondary, or special education certificate.
 - ii. One year successful performance as a classroom teacher as verified in writing by the district superintendent or head of district.
 - iii. Eighteen upper division or graduate semester hours which lead to demonstrated competency in the areas of cataloging and classification, reference, principles and policies of selection, and use of instructional resources, administration of school libraries for children or adolescents, and a school library practicum. The courses must provide instruction leading to competency in the School Library Media Skill Requirements as outlined in R7-2-605.
 - b. Standard school library media specialist endorsement, grades K-12. Requirements are:
 - i. Qualify for a temporary school library media specialist endorsement.
 - ii. A Master's degree in library and information science or in education with a preparation in library and information science or 40 semester

hours of graduate course work which lead to demonstrated competency in the areas of curriculum and instruction, media communications, and instructional technology from at least 1 of the following sources and must provide instruction leading to competency in the School Library Media Skill Requirements as outlined in R7-2-605.

- (1) A regionally accredited institution.
- (2) In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.

2. Guidance counselor endorsement, grades K-12. Requirements are:
 - a. Arizona elementary, secondary, special education, or K-12 vocational teaching certificate.
 - b. Three years of verifiable classroom teaching for which a valid teaching certificate was required.
 - c. A Master's degree from a regionally accredited institution.
 - d. Completion of an approved graduate program in school guidance and counseling from a regionally accredited institution to include a supervised school counseling practice.
- 3-2. Reading specialist endorsement, grades K-12. The reading endorsement is required for all personnel serving in the positions of reading specialist, reading consultant, remedial reading teacher, special reading teacher, or similar titles. Requirements are:
 - a. Arizona elementary, secondary, or special education certificate.
 - b. A Master's degree or 30 semester hours beyond the Bachelor's degree.
 - e.b. Fifteen Eighteen semester hours of upper division or graduate level course work taken from a regionally accredited institution in reading to include decoding in reading, diagnosis and remediation of reading difficulties, research, and practicum or internship in reading.
- 4.3. Driver education endorsement. Requirements are:
 - a. An Arizona teaching certificate.
 - b. A valid Arizona driver's license and course work in safety education, driver and highway safety education, and driver education laboratory experience; or 3 years of experience as a driver education teacher.
 - c. Course work in safety education, driver and highway safety education, and driver education laboratory experience.
 - d. A driving record with no more than 6 violation points and no revocation or suspension of driver's license within 2 years prior to application.
 - e. If endorsement is denied on basis of an unacceptable driving record, the applicant must, in order to be considered for certification, maintain a driving record free of convictions from moving violations or chargeable accident accidents for 2 years after the last conviction.
- 5.4. Art, music, dance, dramatic arts, physical education, or technology education endorsement, grades K-12. The content area endorsement is required for all personnel whose sole assignment is as the primary deliverer of that content area. Certified teachers employed as the primary deliverer of dance or dramatic arts prior to May 2, 1991, shall be exempt from this rule. Requirements are:

- a. Arizona elementary, secondary, or special education certificate.
 - b. Elementary or secondary methods of teaching special subject content area.
 - c. ~~Thirty~~ Forty semester hours in special subject content area.
- 6.5. Provisional bilingual education endorsement, grades K-12, valid 3 4 years, ~~nonrenewable, twice. Each renewal requires 6 additional semester hours in courses specified in subsection (7)(b) of this rule.~~ A provisional bilingual education endorsement shall be required of all personnel serving as a bilingual classroom teacher, bilingual resource teacher, bilingual specialist, or other teacher responsible for providing bilingual instruction except for those persons possessing a bilingual education endorsement pursuant to this rule. Requirements are:
- a. Arizona elementary, secondary, or special education certificate;
 - b. Proficiency in the language other than English as specified in subsection (7)(6)(d) of this rule.
- 7.6. Bilingual education endorsement, ~~grades K-12, valid for grade level of certificate.~~ The bilingual education endorsement shall be required of all personnel serving as bilingual classroom teachers, bilingual resource teachers, bilingual specialists, or other teachers responsible for providing bilingual instruction except for those persons possessing a provisional bilingual education endorsement pursuant to this rule. The holder of this endorsement is authorized to teach English as a second language. Requirements are:
- a. Arizona elementary, secondary, or special education certificate.
 - b. Completion of an approved program in bilingual education or 21 semester hours from a regionally accredited institution in courses specified in this subsection. Fifteen of these hours shall be in courses at the upper division undergraduate or graduate levels. However, American Indian linguistics may be taken at the lower division undergraduate level, leaving a total of 12 semester hours required at the upper division undergraduate or graduate levels.
 - i. Three semester hours of courses in foundation of instruction for non-English-language-background students.
 - ii. Nine semester hours of upper division undergraduate or graduate level course in methodology appropriate to the grade level of the certificate to include:
 - (1) Bilingual methods, materials, and curriculum, student assessment, and teaching reading and writing in the native language. These courses shall have been taught using the non-English language in which proficiency is to be verified pursuant to this subsection.
 - (2) English as a second language for bilingual settings and teaching reading and writing to limited-English-proficient students.
 - iii. Three semester hours of courses in linguistics to include:
 - (1) Upper division undergraduate or graduate level courses in psycholinguistics, sociolinguistics, 1st language acquisition, and 2nd language acquisition for language minority student; or
 - (2) American Indian language linguistics.
 - iv. Three semester hours of instruction in courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English-language-background students.
 - v. Three semester hours in courses at the upper division undergraduate or graduate level in methods of teaching and evaluating handicapped children from non-English-language backgrounds. These hours are only required for bilingual endorsements on special education certificates.
 - vi. For elementary and secondary certificates only, 3 semester hours in courses selected from:
 - (1) Subdivisions (b)(ii), (iii), or (v);
 - (2) An upper division undergraduate or graduate level language course for teaching content areas in the non-English language in which proficiency is to be verified pursuant to this subsection;
 - (3) An upper division undergraduate or graduate level course on the nature and grammar of the English language.
- c. Student teaching from a regionally accredited institution in a bilingual setting at the appropriate grade level of the certificate or 2 years of successful bilingual teaching experience at the appropriate grade level of the certificate, as verified in writing by the district superintendent or head of district.
- d. Proficiency in the language other than English shall be verified by the language department of a regionally accredited institution except in the case of Spanish and American Indian languages.
 - i. Spanish language proficiency shall be demonstrated by passing the Arizona Classroom Spanish Proficiency Examination administered by the University of Arizona, Northern Arizona University, Arizona State University, or Grand Canyon University.
 - ii. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
- 8.7. Provisional English as a second language (ESL) endorsement, ~~grades K-12, valid 4 3 years, nonrenewable twice. Each renewal requires 6 additional semester hours in courses specified in subdivision (9)(b) of this rule.~~ The provisional ESL endorsement shall be required of all personnel serving in the capacity of ESL classroom teacher, ESL specialist, ESL resource teacher, or any other teacher responsible for providing ESL instruction except for those persons possessing an ESL endorsement pursuant to this rule. Requirements are:
- a. Arizona elementary, secondary, or special education certificate.
 - b. Six semester hours in courses specified in subsection (98)(b) of this rule, 3 of which shall be from subdivision (98)(b)(ii).
- 9.8. English as a second language (ESL) endorsement, ~~grades K-12, valid for grade level of certificate.~~ The ESL endorsement shall be required of all personnel serving in the capacity of ESL classroom teacher, ESL specialist, ESL resource teacher, or any other teacher responsible for providing ESL instruction except for those persons possessing a provisional ESL endorsement pursuant to subsection (87). Individuals teaching in bilingual or

Arizona Administrative Register
Notices of Final Rulemaking

English as a second language programs for 2 years may petition to have the courses in subdivisions (98)(b)(iv) and (98)(b)(v) waived upon receipt of a letter from the district superintendent or head of the district verifying that they have been successfully teaching in 1 or both programs for 2 years. Requirements are:

- a. Arizona elementary, secondary, or special education certificate.
- b. Completion of an approved program in English as a second language or 21 semester hours from a regionally accredited institution in courses specified in subdivisions (98)(b)(i) through (v). Fifteen of these hours shall be in courses at the upper division undergraduate or graduate levels. However, American Indian linguistics may be taken at the lower division undergraduate level, leaving a total of 12 semester hours required at the upper division undergraduate or graduate levels.
 - i. Three semester hours of courses in linguistics to include:
 - (1) Upper division undergraduate or graduate level courses in psycholinguistics, sociolinguistics, 1st language acquisition, and 2nd language acquisition for language minority students; or
 - (2) American Indian language linguistics.
 - ii. Nine semester hours in courses appropriate to the grade level of the certificate to include ESL methods; the teaching of reading and writing to limited-English-proficient students and assessment of limited-English-proficient students. These courses shall be at the upper division undergraduate or graduate levels.
 - iii. Three semester hours in courses at the upper division undergraduate or graduate levels on the nature and grammar of the English language.
 - iv. Three semester hours of instruction in courses dealing with school, community, and family culture and parental involvement in programs of instruction for non-English-language-background students.
 - v. Three semester hours of a supervised practicum or internship appropriate to the grade level of the certificate from a regionally accredited institution or 2 years of successful ESL or bilingual teaching experience at the appropriate grade level of the certificate as verified in writing by the district superintendent or head of district.
- c. Second language learning experience as documented by any of the following:
 - i. Six semester hours in courses in a single 2nd language;
 - ii. Completion of intensive language training by the Peace Corps, the Foreign Service Institute, or the Defense Language Institute;
 - iii. Placement by the language department of a regionally accredited institution in a 3rd-semester level;
 - iv. Placement at level 1-intermediate/low or more advanced score on the Oral Proficiency Interview as verified in writing by an official authorized by the American Council for the Teaching of Foreign Languages (ACTFL);

- v. Passage of the Arizona Classroom Spanish Proficiency Examination administered by the University of Arizona, Northern Arizona University, Arizona State University, or Grand Canyon University;
- vi. Demonstration of American Indian language proficiency as verified in writing by an official designate by the appropriate tribe;
- vii. Second language learning experience equivalent to 6 semester hours as verified in writing by an official of the department of language, education, or English at a regionally accredited institution.

10-9 Middle level teaching endorsement, -- grades 5-9, optional. Requirements are:

- a. Arizona elementary or secondary certificate.
- b. Six semester hours of upper division or graduate course work taken from a regionally accredited institution, in middle level professional education course work to include:
 - i. A course in early adolescent psychology.
 - ii. A course in middle level curriculum.
 - iii. Student teaching with grades 5-9 or 1 academic year of verifiable, full-time teaching experience within grades 5-9.

11- Exploratory health occupations.

- a. Arizona elementary, secondary, or special education certificate.
- b. ~~Twenty-four semester hours with appropriate distribution of courses in biological and behavioral sciences.~~

12-10 Provisional teacher of the gifted endorsement, --grades K-12, valid for 2 3 years, nonrenewable twice. The provisional gifted endorsement shall be required of all State Board-certified teachers of the gifted or those individuals serving positions with the gifted and those certificated teachers who daily instructional contacts include a majority of students gifted in that area of instruction, except for those individuals possessing a gifted endorsement pursuant to this rule. Requirements are:

- a. Arizona elementary, secondary, or special education certificate; and
- b. Two years of teaching experience in a classroom or special program in which a majority of students are gifted in that area of instruction as verified in writing by the district superintendent or head of district; or 90 clock hours of documented in-service training in gifted education, to include the skills set forth in R7-2-605, as verified in writing by the school district governing board or its designee or completion of at least 6 semester hours of courses which teach the skills set forth in R7-2-605.

13-11 Teacher of the gifted Gifted endorsement, grades K-12, renewable and valid for grade level and term of certificate held by applicant. The gifted endorsement shall be required of all State Board-certified teachers of the gifted or those individuals serving positions with the gifted and certificated teachers whose daily instructional contacts include a majority of students gifted in that area of instruction, except for those individuals possessing a provisional gifted endorsement pursuant to this rule. Requirements are: an Arizona elementary, secondary, or special education certificate, and applicants must fulfill the requirements of 1 of the following 2 options:

- a. Option A. Three years of full-time experience in gifted education, or the equivalent thereof, as a

Arizona Administrative Register
Notices of Final Rulemaking

teacher, resource teacher, specialist, or other similar position, as verified in writing by the district superintendent or head of district plus a minimum of 135 clock hours of documented in-service training in gifted education or 9 semester hours in gifted education courses from an a regionally accredited institution to include the skills set forth in R7-2-605, as verified by the school district governing board or its designee, ~~shall meet the requirements of this endorsement.~~

b. Option B.

i. ~~Arizona elementary, secondary, or special education certificate.~~

ii.i. Completion of 12 semester hours of courses dealing with the education of the gifted from a regionally accredited institution to include courses which teach the skills set forth in R7-2-605.

iii.ii. Completion of 9 upper division undergraduate or any graduate semester hours in an academic discipline such as science, mathematics, language arts, foreign language, social studies, psychology, fine arts, or computer science from a regionally accredited institution.

iv.iii. Completion of 6 semester hours of practicum with the gifted from a regionally accredited institution or 2 years of full-time teaching experience at the appropriate grade level of the certificate in a classroom or resource room for the gifted, verified in writing by the district superintendent or head of the district.

v.iv. Fifteen clock hours of documented in-service training in gifted education, to include the skills set forth in R7-2-605, as verified in writing by the school district governing board or its designee, may be substituted for each hour of courses required in subsection (b) for a maximum of 6 semester hours.

14.12. Mathematics specialist endorsement, grades K-8, optional. Requirements are:

- a. Arizona elementary or special education certificate.
- b. Three semester hours in the methods of teaching elementary school mathematics.
- c. Eighteen semester hours in mathematics education as follows:
 - i. May include no more than 3 semester hours of in-service programs based on 15 classroom hours being equivalent to 1 semester hour;
 - ii. Nine semester hours in mathematics content to include 3 of the following:
 - (1) Algebraic concepts for teacher of elementary and middle school mathematics;
 - (2) Probability and statistics for teachers of elementary and middle school mathematics;
 - (3) Geometry concepts for teachers of elementary and middle school mathematics;
 - (4) The nature and origin of mathematics for teachers of elementary and middle school mathematics;
 - (5) Number theory concepts for teachers of elementary and middle school mathematics;
 - iii. Nine semester hours in mathematics education to include 3 of the following:
 - (1) Mathematics curriculum and instruction

for the elementary and middle grades;

- (2) Teaching mathematics as problem solving in elementary and middle schools;
- (3) Mathematics diagnosis and remediation in elementary and middle schools;
- (4) Applications of technology in the teaching of elementary and middle school mathematics;
- (5) The cognitive growth and development of the mathematics learner in the elementary and middle grades.

15. ~~Provisional primary level teaching endorsement—grades K-3, valid 3 years, nonrenewable, optional. Requirements are:~~

a. ~~Arizona elementary certificate.~~

b. ~~Twelve semester hours in early childhood education courses which teach the skills set forth in R7-2-605, to include 3 semester hours in each of the following areas:~~

- i. ~~Early childhood growth and development;~~
- ii. ~~Curriculum and instruction for primary age children;~~
- iii. ~~Assessment and evaluation of the primary age child;~~
- iv. ~~Parent, family, and community involvement in primary education.~~

16. ~~Primary level teaching endorsement—grades K-3, optional. Requirements are:~~

a. ~~Arizona elementary certificate;~~

b. ~~Qualify for provisional primary level teaching endorsement;~~

c. ~~A Master's degree program:~~

- i. ~~With a major in early childhood education, or~~
- ii. ~~With a major in elementary education with an emphasis in early childhood education or child development;~~

d. ~~Eighteen semester course hours, 12 of which shall be upper or graduate level in early childhood education, and may include the 12 hours required for the provisional primary level endorsement. District early childhood in-service programs shall be approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 6 semester hours. Three of the 18 equivalent semester hours may be obtained by completion of the Arizona Department of Education K-3 Teachers' Academy. Six of the 18 equivalent semester hours may be a combination of work completed from an accredited community college or through a district early childhood in-service program;~~

e. ~~Student teaching within grades K-3, or 2 academic years of verifiable teaching experience with children ages 4-8.~~

17.13. Elementary foreign language endorsement, grades K-8., optional. ~~The elementary foreign language endorsement is required for all personnel whose sole assignment is as a foreign language instructor within grades K-8. Requirements are an Arizona elementary, secondary or special education certificate, and applicants must fulfill the requirements of 1 of the following 3 options:~~

a. Option A:

i. ~~Arizona elementary or special education certificate;~~

ii.i. Proficiency in a language other than English shall be verified in writing by the appropriate language department of an a regionally accredited

Arizona Administrative Register
Notices of Final Rulemaking

- ited institution. Such verification shall include proficiency in speaking, reading, and writing. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
- iii.ii. Three semester hours in the methods of teaching a foreign language or 2nd language at the elementary level.
 - iii. Three semester hours in child development.
- b. Option B:
- i. Arizona elementary or special education certificate;
 - ii.i. Arizona bilingual education endorsement.
 - ii. Three semester hours in child development.
- c. Option C:
- i. Arizona elementary or special education certificate;
 - ii.i. Arizona English as a second language (ESL) endorsement.
 - iii.ii. Proficiency in a language other than English shall be verified in writing by the appropriate language department of an regionally accredited institution. Such verification shall include proficiency in speaking, reading, and writing. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
 - iii. Three semester hours in child development.
- d. Option D:
- i. Arizona secondary certificate with a major in a foreign language other than English.
 - ii. Proficiency in a language other than English shall be verified in writing by the appropriate language department of an accredited institution. Such verification shall include proficiency in speaking, reading, and writing. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
 - iii. Three semester hours in child development.
 - iv. Three semester hours in the methods of teaching a foreign language or 2nd language at the elementary level.
- e. Option E:
- i. Arizona secondary certificate.
 - ii. Arizona bilingual education endorsement.
 - iii. Three semester hours in child development.
 - iv. Three semester hours in the methods of teaching a foreign language or 2nd language at the elementary level.
- f. Option F:
- i. Arizona secondary certificate.
 - ii. Arizona English as a second language (ESL) endorsement.
 - iii. Proficiency in a language other than English shall be verified in writing by the appropriate language department of an accredited institution. Such verification shall include proficiency in speaking, reading, and writing. American Indian language proficiency shall be verified in writing by an official designated by the appropriate tribe.
 - iv. Three semester hours in child development.
 - v. Three semester hours in the methods of teaching a foreign language or 2nd language at the elementary level.

R7-2-607. Vocational Education Certification

- A. Certificates. Except as noted, all certificates are subject to the general certification provisions specified in R7-2-601. A regionally accredited institution shall be an institution as defined in R7-2-601(G).
1. Provisional vocational ~~technological~~ education certificate in the area of agriculture—grades K-12, valid ~~1-year~~ 2 years, renewable as specified in R7-2-601(P). Requirements are:
 - a. ~~Option A requirement is 6000 clock hours of occupational experience in area to be taught.~~
 - b. ~~Option B requirements are:~~
 - i.a. A Bachelor's degree from a regionally accredited institution to include 18 semester hours in the area to be taught.
 - ii.b. Two thousand clock hours of occupational experience in the area to be taught.
 2. Basic vocational ~~technological~~ education certificate in the area of agriculture -- grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:
 - a. ~~A Bachelor's degree from a regionally accredited institution. Qualification for the provisional vocational certificate in the area of agriculture.~~
 - b. ~~Fifty Thirty~~ semester hours in agriculture with 5 semester hours in each 3 of the following: animal science, plant science including soils, ~~agriculture~~ agricultural engineering, economics or agricultural economics, or agricultural resources.
 - c. Eighteen semester hours of professional preparation with course work in each of the following areas: methods of teaching ~~vocational~~ agriculture, curriculum and materials of instruction, student teaching in ~~vocational~~ agriculture within grades K-12.
 - d. Two years of classroom teaching in vocational agriculture with grades K-12 may be accepted in lieu of the student teaching.
 - e. Two thousand clock hours in agricultural occupations.
 3. ~~Standard vocational technological education certificate in the area of agriculture — grade K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
 - a. ~~Qualify for a basic vocational certificate in the area of vocational agriculture education.~~
 - b. ~~A Master's degree or 30 semester hours beyond a Bachelor's degree from a regionally accredited institution.~~
 - 4.3. Provisional vocational technological education certificate in the area of marketing — grades K-12, valid ~~1-year~~ 2 years, renewable as specified R7-2-601(P). Applicants must meet all of the requirements in 1 of the following 2 options:
 - a. ~~Option A: requirement is 6000 6 thousand~~ clock hours of occupational experience in the area to be taught.
 - b. ~~Option B: requirements are:~~
 - i. A Bachelor's degree from a regionally accredited institution ~~with a major in marketing.~~
 - ii. Six semester hours in each of the following: ~~marketing, management and finance.~~
 - iii. Two thousand clock hours of occupational experience in the area to be taught or directed observation course in marketing occupations.
 - 5.4. Basic vocational ~~technological~~ education certificate in the area of marketing — grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:

Arizona Administrative Register
Notices of Final Rulemaking

- a. ~~Qualify~~ Qualification for Option B for provisional vocational certificate in the area of vocational marketing.
 - b. ~~Twelve semester hours of professional vocation preparation course work distributed in each of the following: methods of teaching marketing education, curriculum and materials of instruction for marketing education, and student teaching in marketing or business within grades K-12.~~
 - c. ~~Two thousand clock hours in distributive occupations. Two years of classroom teaching in marketing or business within grades K-12 may be accepted in lieu of student teaching.~~
6. ~~Standard vocational technological education certificate in the area of marketing -- grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
- a. ~~Qualify for a basic vocational certificate in the area of vocational marketing.~~
 - b. ~~A Master's degree or 30 semester hours beyond a Bachelor's degree from a regionally accredited institution.~~
- 7.5. ~~Provisional vocational technological education certificate in the area of health occupations -- grades K-12, valid 4-2 years, renewable as specified in R7-2-601(P). Requirements are: Applicants must meet all of the requirements in 1 of the following 2 options:~~
- a. ~~Option A:~~
 - a.i. ~~Applicable professional licensure in the a health occupations occupation area taught in the Arizona public schools.~~
 - b.ii. ~~Six thousand clock hours of work experience in a health occupation within the last 6 years in a hospital, medical or surgical area of an acute health care facility other than a school setting.~~
 - b. ~~Option B:~~
 - i. ~~A Bachelor's degree in a biological science, health science, physical science, or social science.~~
 - ii. ~~Applicable professional license in a health occupations area taught in Arizona public schools.~~
- 8.6. ~~Basic vocational technological education certificate in the area of health occupations -- grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
- a. ~~Qualification for the provisional vocational education certificate in the area of health occupations. Applicable professional licensure in the health occupations area taught in the Arizona public schools.~~
 - b. ~~Twelve semester hours of course work to include each of the following: methods of teaching, curriculum development and evaluation. Thirty semester hours in professional and technical areas in or directly related to health occupations area taught.~~
 - c. ~~Fifteen semester hours in the social and physical sciences.~~
 - d.c. ~~Two thousand clock hours of work experience in the area to be taught, within the last 6 years, in a hospital, medical or surgical area of an acute health care facility other than a school setting.~~
9. ~~Standard vocational technological education certification the area of health occupations -- grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
- a. ~~Bachelor's degree from a regionally accredited institution.~~
 - b. ~~Forty semester hours in professional and technical areas in or directly related to health occupations area taught.~~
 - c. ~~Twenty-five semester hours in the social and physical sciences.~~
 - d. ~~A minimum of 12 semester hours in education to include each of the following: methods of teaching curriculum development and evaluation.~~
 - e. ~~Two thousand clock hours of occupational experience within the last 6 years in a hospital, medical or surgical area of an acute health care facility other than a school setting.~~
- 10.7. ~~Provisional vocational technological education certificate in the area of family and consumer sciences consumer and homemaking -- grades K-12, valid 4 2 years, renewable as specified in R7-2-601(P). Requirements are:~~
- a. ~~A Bachelor's degree from a regionally accredited institution.~~
 - b. ~~Twenty-seven Thirty semester hours in family and consumer sciences consumer and homemaking with 1 course in each of the following: life span child development; family or human relations; clothing and textiles or merchandising; home management, food and nutrition, health or food preparation; facility management, and in housing home furnishings and household equipment or interior design; consumer economics or family resources; culinary arts; and laboratory directed experience in child care or elder care.~~
 - c. ~~Two thousand clock hours of verified occupational employment in family and consumer sciences in the area to be taught or 5 semester hours of internship in family and consumer sciences, completed within the last 6 years.~~
- 11.8. ~~Basic vocational technological education certificate in the area of consumer and homemaking family and consumer sciences -- grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are: Applicants must meet all of the requirements in 1 of the following 2 options:~~
- a. ~~Option A:~~
 - i. ~~Qualification for provisional vocational education certificate in the area of family and consumer sciences.~~
 - ii. ~~Eighteen semester hours in professional preparation course work to include each of the following: methods of teaching occupational family and consumer sciences, student teaching in vocational family and consumer sciences within grades K-12.~~
 - iii. ~~Two years of classroom teaching in vocational family and consumer science within grades K-12 may be accepted in lieu of the student teaching.~~
 - b. ~~Option B:~~
 - i. ~~Six thousand clock hours of work experience in the area to be taught, completed within the last 6 years.~~
 - ii. ~~Fifteen semester hours in vocational education preparation course work to include methods of teaching occupational family and consumer sciences.~~
- a. ~~A Bachelor's degree from a regionally accredited institution.~~

Notices of Final Rulemaking

- b. ~~Twenty seven semester hours in consumer and homemaking with 1 course in each of the following: child development, directed experience with young children, family economics and home management, and 2 course in the following: clothing and textiles, food and nutrition, and in housing, home furnishings and household equipment.~~
 - c. ~~Eighteen semester hours in professional preparation course work to include each of the following:~~
 - i. ~~Methods of teaching consumer and homemaking education.~~
 - ii. ~~Student teaching in consumer and homemaking within grades K-12.~~
 - d. ~~Two years of classroom teaching in consumer and homemaking within grades K-12 may be accepted in lieu of the student teaching.~~
- 12. ~~Standard vocational technological education certificate in the area of consumer and homemaking—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
 - a. ~~Qualify for a basic vocational certificate in the area of consumer and homemaking.~~
 - b. ~~A Master's degree or 30 semester hours beyond a Bachelor's degree from a regionally accredited institution.~~
- 13. ~~Provisional vocational technological education certificate in the area of occupational home economics—grades K-12, valid 1 year, renewable as specified in R7-2-601(P). Requirements are:~~
 - a. ~~Option A requirement is 6000 clock hours of occupational experience in home economics-related occupations.~~
 - b. ~~Option B requirements are:~~
 - i. ~~A Bachelor's degree from a regionally accredited institution.~~
 - ii. ~~Eighteen semester hours in home economics are to be taught.~~
 - iii. ~~Two thousand clock hours of occupational experience in area to be taught.~~
- 14. ~~Basic vocational technological education certificate in the area of occupational home economics—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
 - a. ~~A Bachelor's degree from a regionally accredited institution.~~
 - b. ~~Thirty semester hours in home economics.~~
 - c. ~~Eighteen semester hours in professional vocational preparation course work to include each of the following:~~
 - i. ~~Methods of teaching occupation vocational home economics.~~
 - ii. ~~Student teaching in vocation home economics occupations within grades K-12.~~
 - iii. ~~Two years of classroom teaching in vocational home economics occupations within grades K-12 may be accepted in lieu of the student teaching.~~
 - iv. ~~Two thousand clock hours of occupational experience in home economics-related occupations to be taught or 5 semester hours of internship in vocational home economics-related occupations.~~
- 15. ~~Standard vocational technological education certificate in the area of occupation home economics—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
 - a. ~~Qualify for a basic vocational certificate in the area of vocational home economics-related occupations.~~
 - b. ~~A Master's degree or 30 semester hours beyond a Bachelor's degree from a regionally accredited institution.~~
- 16. ~~2. Provisional vocational technological education certificate in the area of business—grades K-12, valid 1-2 years, renewable as specified in R7-2-601(P). Requirements are:~~
 - a. ~~A Bachelor's degree from a regionally accredited institution.~~
 - b. ~~Thirty semester hours in business and office course work.~~
 - c. ~~Eighteen semester hours in business and office course work in office administration, office management and office competencies.~~
 - d. ~~c. Three Six semester hours in professional vocational preparation course work.~~
 - e. ~~d. Two thousand clock hours' experience in business/office occupations or directed observation course in business/office occupations in the past 6 years.~~
- 17. ~~10. Basic vocational technological education certificate in the area of business -- grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
 - a. ~~A Bachelor's degree from a regionally accredited institution with a 30 semester hour major in business and office occupations. Qualification for provisional vocational education certificate in the area of business.~~
 - b. ~~A minimum of 18 semester hours of technical preparation distributed in the areas of office administration, office management, and office competencies.~~
 - c. ~~b. Twelve Twenty-one semester hours vocational preparation course work to include methods of teaching business and principles of vocational education.~~
 - d. ~~Two thousand clock hours' experience in office occupations or directed observation course in office occupations.~~
- 18. ~~Standard vocational technological education certificate in the area of business—grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:~~
 - a. ~~Qualify for a basic vocational certificate in the area of business.~~
 - b. ~~A Master's degree or 30 semester hours beyond a Bachelor's degree from a regionally accredited institution.~~
- 11. ~~Provisional vocational education certificate in the area of industrial technology -- grades K-12, valid 2 years, renewable as specified in R7-2-601(P). Applicants must meet all of the requirements in 1 of the following 2 options:~~
 - a. ~~Option A~~
 - i. ~~A Bachelor's degree with a major in vocational or industrial technology from a regionally accredited institution; and~~
 - ii. ~~Two thousand clock hours of verified occupational experience in the area to be taught or hold an industry recognized occupation certification or license.~~
 - b. ~~Option B~~
 - i. ~~Six thousand clock hours of verified occupational experience or self employment in the area to be taught or~~
 - ii. ~~Hold an industry recognized occupational certification or license.~~

Arizona Administrative Register
Notices of Final Rulemaking

19.12. Basic vocational technological education certificate in the area of trade and technical education industrial technology -- grades K-12, valid 6 years, renewable as specified in R7-2-601(O) except as noted. Requirements are:

- a. Qualification for the provisional vocational education certificate in the area of industrial technology;
- b. A Bachelor's degree from a regional accredited institution with a major in vocational education or industrial technology.
- c. Fifteen semester hours in vocational education course work, to include methods of teaching industrial technology.

a. Option A:

- i. A Bachelor's degree directly related to the occupation to be taught, from a regionally accredited institution; and
- ii. One of the following:

- (1) 2000 hours of employer-verified employment in the occupation to be taught, obtained during the preceding 6 years; or
- (2) Demonstrated proficiency on an occupational examination conducted by a State Board-approved testing center or on a State Board-approved certification or professional examination; or
- (3) Recommendation from a statewide screening committee established by the Superintendent of Public Instruction. The statewide screening committee shall be comprised of a business and industry representative from the occupational area of certification, the State Supervisor of Trade and Technical Education, an instructor from the occupational area of certification, a vocational director or principal from a local education agency and a representative from the Department of Education Certification Unit.

b. Option B:

- i. 6000 hours of verified employment obtained during the preceding 6 years; and
- ii. Demonstrated proficiency on an occupational examination conducted by a State Board-approved testing center or on a State Board-approved certification or professional examination; or
- iii. Recommendation from a statewide screening committee established by the Superintendent of Public Instruction. The statewide screening committee shall be comprised of a business and industry representative from the occupational area of certification, the State Supervisor of Trade and Technical Education, an instructor from the occupational area of certification, a vocational director or principal from a local education agency and a representative from the Department of Education Certification Unit.
- iv. Certificate obtained using this option may be renewed upon completion of 9 semester hours of credit taken from a regionally accredited institution and completed since the last renewal of the certificate to be renewed.

c. Option C:

- i. A Bachelor's degree from an institution licensed by the Arizona State Board for Private Postsecondary Education; and

- ii. Demonstrated proficiency on an occupational examination conducted by a State Board-approved testing center or on a State Board-approved certification or professional examination; or

- iii. Recommendation from a statewide screening committee established by the Superintendent of Public Instruction. The statewide screening committee shall be comprised of a business and industry representative from the occupational area of certification, the State Supervisor of Trade and Technical Education, an instructor from the occupational area of certification, a vocational director or principal from a local education agency and a representative from the Department of Education Certification Unit.

- iv. Certificate obtained using this option may be renewed upon completion of 9 semester hours of credit taken from a regionally accredited institution and completed since the last renewal of the certificate to be renewed.

20. Standard vocational technological education certificate in the area of trade and technical education grades K-12, valid 6 years, renewable as specified in R7-2-601(O). Requirements are:

- a. Qualify for a basic vocational certificate in the area of trade and technical education.

- b. Complete a Master's degree program from a regionally accredited institution or complete 40 semester hours of upper division or graduate course work from:

- i. A regionally accredited institution.
- ii. In-service programs approved based on 15 classroom hours being equivalent to 1 semester hour of credit, not to exceed 10 semester hours.

21. Emergency vocational technological education certificate in the area of special needs education grades K-12, valid 1 year or part thereof. Requirements are:

- a. Recommendation of the applicant by a local education agency.
- b. Evidence of the existence of an approved program of special needs education in which the applicant will be teaching.
- c. This certificate may be reissued for an additional 1-year period upon the request and verification of a special needs program by an education agency.

22. Adult vocational certificate valid 2 years, renewable at 6-year intervals upon completion of 6 clock hours of in-service training. May be issued in the area of agriculture, distributive education, health occupations or registration, comprehensive home economics, home economics-related occupations, office education, and trade and technical education. Requirements are recommendation by a local education agency and vocation experience in the area to be taught verified by a local educational agency. For vocational health occupations, evidence of licensure in the area to be taught is required.

23.13. Cooperative education Endorsement endorsement. The cooperative education endorsement K-12 entitles a vocational teacher to coordinate vocational programs. The provisional, or basic or standard vocational certificate in the areas of agricultural agriculture education, distributive education, marketing, health occupations education, home economics education related occupation family and consumer sciences, office education business, and trade and technical education industrial technology may be

endorsed with a cooperative education endorsement upon verification of completion of 1 course in vocational cooperative education.

ARTICLE 10. SCHOOL DISTRICT PROCUREMENT

R7-2-1002. Applicability

A. This Article applies to every expenditure of public monies by a school district as specified in A.R.S. § 15-213(A) for all construction ~~which exceeds \$15,000 in total cost, for all materials which exceed \$10,000 in total cost and for all services which exceed \$10,000~~ \$20,000 in total cost, including federal assistance monies, except that if procurement involves the expenditure of federal assistance or contract monies, the school district shall comply with federal law and authorized regulations which are mandatorily applicable and which are not presently reflected in this Article. This Article does not apply to agree-

ments pursuant to A.R.S. § 15-789 or grants or contracts between governing boards, except as provided in R7-2-1191 through R7-2-1195. This Article also applies to the disposal of school district materials regardless of value. Nothing in this Article shall prevent any governing board from complying with the terms and conditions of any grant, gift, bequest or cooperative agreement. (A.R.S. § 15-271(C)(3) requires the Auditor General in the Uniform System of Financial Records to prescribe guidelines applicable to procurement practices for use by school districts for amounts less than those prescribed in A.R.S. § 15-213(A), as described in this subsection.)

- B. No change.
- C. No change.
- D. No change.
- E. No change.

NOTICE OF FINAL RULEMAKING

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR POLLUTION CONTROL

PREAMBLE

1. **Sections Affected**

R18-2-731	New Section
R18-2-901	Amend
R18-2-1101	Amend
Appendix A	Amend
2. **The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**

Authorizing statute: A.R.S. §§ 49-104

Implementing statutes: A.R.S. §§ 49-404 and 49-425
3. **The effective date of the rules:**

March 14, 1997
4. **A list of all previous notices appearing in the Register addressing the final rule:**

Notice of Rulemaking Docket Opening:
2 A.A.R. 3558, August 9, 1996

Notice of Proposed Rulemaking:
2 A.A.R. 3525, August 9, 1996
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**

Name: Mark Lewandowski
or Martha Seaman, Rule Development Section

Address: Department of Environmental Quality
3033 North Central
Phoenix, Arizona 85012-2809

Telephone: (602) 207-2230 or (602) 207-2222 (Any extension may be reached in-state by dialing 1-800-234-5677, and asking for that extension.)

Fax: (602) 207-2251
6. **An explanation of the rule, including the agency's reasons for initiating the rule:**

The Department of Environmental Quality (ADEQ) is updating its New Source Performance Standards (NSPS) and National Emission Standards for Hazardous Air Pollutants (NESHAP) by incorporating federal rules adopted as of July 1, 1996. In this rulemaking, ADEQ also adopts Emissions Guidelines (EG) for existing municipal solid waste landfills (MSW landfills). The EG for existing MSW landfills contain the same standards as the NSPS for MSW landfills.

ADEQ's goal in updating the incorporations by reference is to assure the continued delegation of authority from the U.S. Environmental Protection Agency (EPA) to implement and enforce the federal NSPS and NESHAP. ADEQ's goal for adopting the EG

Arizona Administrative Register

Notices of Final Rulemaking

for existing MSW landfills is to fulfill the requirement of Section 111(d) of the Clean Air Act (Act), and regulations promulgated thereunder, for states to submit plans to control existing sources of designated pollutants. Under these regulations, ADEQ was to have submitted a plan that includes the EG by December 12, 1996. (40 CFR 60.23(a)(2)) If a state does not submit an approvable plan, the EPA will promulgate a federal plan for the state within 6 months after the state plan was due. (40 CFR 60.27(d)) ADEQ expects to submit a state plan to EPA in April 1997.

The Landfill Rules: R18-2-731 and R18-2-901(73)

40 CFR 60, Subpart WWW, is a new federal NSPS affecting MSW landfills that was promulgated March 12, 1996. It affects 111(d). R18-2-731 incorporates Subpart WWW and sets 3 compliance dates. Other EG have been promulgated by EPA prior to this 1 including Fluoride Emissions From Phosphate Fertilizer Plants, Acid Mist From Sulfuric Acid Plants, Total Reduced Sulfur Emissions From Kraft Pulp Mills, Fluoride Emissions From Primary Aluminum Reduction Plants and Municipal Waste Combustor Organics from certain Municipal Waste Combustors. However, Arizona has not, until now, had to submit a Section 111(d) plan because none of the designated facilities existed in the state. Instead, ADEQ submitted a letter certifying that fact, sometimes known as a "negative declaration".

Both the NSPS and the EG require landfills that are greater than 2.5 million megagrams (Mg) or 2.5 million cubic meters in design capacity, and that emit NMOC in excess of 50 Mg per year to control emissions. Controlling emissions usually involves drilling collection "wells" into the landfill and routing the gas to a suitable energy recovery system or combustion device. Under both the NSPS and the EG, landfills with a design capacity greater than 2.5 million Mg of waste are required to install gas collection systems or demonstrate that the landfill emits less than 50 Mg per year of NMOC. The NSPS will govern landfills constructed after May 30, 1991. R18-2-731 will affect those landfills constructed before then, if they accepted waste since 1987.

Both the NSPS and the EG for MSW landfills also require landfills larger than 2.5 million Mg to obtain Title V air quality permits. This permit requirement exists even if the facility has no obligation to install a collection and control system for landfill gas. In response to inquiries from ADEQ, EPA responded that states may not eliminate the Title V permit requirement either by exercise of flexibility under 40 CFR 60.24(f), or by exempting the sources from the obligation to obtain a Part 70 permit under 40 CFR 70.3(b)(1).

Other NSPS/NESHAP incorporated by reference.

R18-2-901. 40 CFR 60, Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units. (amended May 8, 1996, 61 FR 20734). The updates to the incorporated federal rule exempt certain steam generating units engaged in combustion research from NSPS control requirements for sulfur dioxide and particulate matter.

R18-2-1101(B). Part 63. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections, Sections 112(g) and 112(j). (amended May 10, 1996, 61 FR 21370). This amendment delays the Section 112(j) case-by-case control technology determination deadlines for each of the source categories for which the U.S. EPA is writing standards, because those standards are also likely to be delayed. The amendment prevents unnecessary paperwork for both major sources and for permitting agencies such as ADEQ.

Part 63, Subparts F, G, H, and I. EPA amended certain portions of the "National Emission Standards for Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry and Other Processes Subject to the Negotiated Regulation for Equipment Leaks" (collectively known as the "hazardous organic NESHAP" or the "HON") to clarify the regulations and to make some program revisions governing the chemicals. (amended Feb. 29, 1996, 61 FR 7716; June 20, 1996, 61 FR 31435) Arizona is not aware of any HON sources under its jurisdiction.

The following Subparts of 40 CFR 63 were amended to defer affected nonmajor sources from having to obtain Title V permits:

- Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (amended on June 3, 1996, 61 FR 27785);
- Subpart N - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (amended on June 3, 1996, 61 FR 27785);
- Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities (amended on June 3, 1996, 61 FR 27785); and
- Subpart X - Secondary Lead Smelting (amended on June 3, 1996, 61 FR 27785).

Such deferrals avoid unnecessary and undue regulatory burden for ADEQ and the industry during a time when tremendous resources are necessary for the initial implementation of the Title V permit program. This rule is not expected to have any significant adverse environmental results because sources are still required to meet all applicable requirements established by the respective MACT (maximum achievable control technology) standards.

Subpart CC - Petroleum Refineries (amended February 23, 1996, 61 FR 7051; June 12, 1996, 61 FR 29876; and June 28, 1996, 61 FR 33799) was amended to correct typographical and cross-referencing errors in the federal regulation.

Subpart GG - Aerospace Manufacturing and Rework Facilities (amended Feb. 9, 1996, 61 FR 4902) corrected the initial notification deadline. Under today's rule, affected existing facilities will be required to notify ADEQ that they are affected by the standard, and to include certain required information, by September 1, 1997.

Subpart KK - Printing and Publishing Industry (promulgated May 30, 1996, 61 FR 27132). This NESHAP directs MACT to be the standard for 2 distinct segments of the printing and publishing industry. Publication rotogravure printers produce saleable paper products such as catalogues, magazines, newspaper inserts, and telephone directories. Package-product rotogravure and

Arizona Administrative Register
Notices of Final Rulemaking

wide-web flexographic facilities print on paper, plastic film, metal foil, and vinyl for use in products such as flexible packaging, labels, gift wrap, floor coverings, and decorative laminates. Air toxics are released from the ink systems used by these types of printers. ADEQ is not aware of any sources under its jurisdiction that are "large" enough to be subject to controls under this rule.

Appendix 2. 40 CFR 60, Appendix A, and 40 CFR 61, Appendix B, were amended on April 25, 1996, at 61 FR 18260, updating test methods for cadmium, lead, and mercury emissions from municipal waste combustors. At this time, Arizona has no municipal waste combustors governed by the NSPS.

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable.

8. The summary of the economic, small business, and consumer impact:

Identification of the Rulemaking

NSPS/NESHAP 1996: 18 A.A.C. 2; Articles 7, 9, and 11, and Appendix 2.

A Brief Summary of the Information Included in the Economic, Small Business, and Consumer Impact Statement

(Please note that this is the entire Economic, Small Business, and Consumer Impact Statement. Only further background materials are included in the rulemaking docket.)

Probable Costs and Benefits to Businesses and Political Subdivisions Directly Affected By The Rule

Although some MSW landfills and other types of sources will be directly affected by these rules, ADEQ has determined that there are not quantifiable costs or benefits associated with these rules, or with the other NSPS/NESHAP rules. Incorporating already effective, or imminently effective, federal air quality regulations into state rules facilitates the achievement of air quality goals by placing the state rather than the federal government as the primary agency implementing the regulations. Sources generally prefer working with state or local governments because the sources feel that they are more likely to be treated fairly and allowed flexibility where possible. However, since the law being implemented is identical in both instances, no change in impacts on sources has been identified as a result of this rulemaking.

Economic Information from the Federal Landfill Rule

An Arizona rule regulating all existing MSW landfills is required by federal law. The federal regulation that Arizona is incorporating achieves health, environmental and welfare benefits from emission reductions without placing an undue financial burden on municipalities, and, in general, will place no burden on small MSW landfill operators (because small landfills are exempted from the regulation). EPA states the following in its preamble regarding its "regulatory impacts analysis":

1. The nationwide cost of the EG would be approximately \$90 million. These values are annualized costs.
2. The annual cost of waste disposal may increase by an average of approximately \$1.30 per Mg for the EG.
3. Less than 10% of the households would face annual increases of \$15 or more per household as a result of the final EG.
4. Because the rule requires control of only about 5% of the landfills in the U.S. many households would experience no increase in disposal costs.

On the average, waste disposal costs will increase only a small amount per household. The U.S. EPA anticipates that many landfills will use energy recovery systems, further reducing costs per household. (See 61 FR 9913-9917)

In the 12 counties under the jurisdiction of ADEQ, there are approximately 8 landfills that will move from potential federal regulation to state regulation under R18-2-731. Some of these will have to install collection and control systems by the 30-month deadline, others later (in general, after their emissions exceed 50 Mg NMOC/yr), and others, perhaps not at all. As stated above, no impacts have been identified from this happening as a result of state rather than federal rule.

Probable Costs and Benefits to ADEQ

The costs and benefits to ADEQ result from implementation, administration and enforcement of the new rules. Implementation costs are the cost of the rulemaking itself and will be less than \$5,000. The bulk of administration and enforcement related to these rules will occur under ADEQ's permit programs. In the case of MSW landfills regulated under R18-2-731, those same costs would occur even if the landfill regulation was federal only, because ADEQ has asked for and received separate authority to implement federal applicable requirements, regardless of their origin, through a Title V program. Therefore, the costs to ADEQ to permit these sources are not a result of this rule. Moreover, permit fees that are integrated into ADEQ's permits programs are designed to compensate the permitting authority for the costs of administering the permit programs, so any revenue increase for ADEQ would be offset by roughly equivalent costs in the permit program. ADEQ does not intend to hire any additional employees to implement or enforce any of these rules.

ADEQ has a Small Business Assistance Program for air quality, which helps greatly in disseminating information and resolving difficulties for small businesses.

Summary

The incremental costs associated with this rule are low, apply solely to ADEQ, and are exceeded by the benefits. The benefits arise because of source preference and state policy that air quality laws be implemented by state and local governments whenever

Arizona Administrative Register
Notices of Final Rulemaking

possible. There are no economic impacts on political subdivisions. There are no economic impacts on private businesses, their revenues or expenditures. Possible employment of new persons has been discussed above, in context. There are also no economic impacts on small businesses. There are no economic impacts to consumers or to private persons. There have been no other, less costly alternatives identified for achieving the purpose of this rulemaking. The rules are no less stringent and no more stringent than the federal regulations on each subject. Each of the federal rules incorporated in this rule impose no additional costs on the regulated community, small businesses, political subdivisions, members of the public, or any other entity.

9. A description of the changes between the proposed rules, including supplemental notices, and final rules (if applicable):

The changes to proposed new R18-2-731 are shown below by ~~strikeout~~ (deleted text) and underlining (added text):

R18-2-731. Standards of Performance for Existing Municipal Solid Waste Landfills

A. This Section applies to each municipal solid waste landfill (MSW landfill) at which:

1. Construction, reconstruction, or modification began before May 30, 1991; and
2. Waste was accepted at any time since November 8, 1987, or additional design capacity is available for future waste deposition.

B. For the purposes of this Section, "Municipal solid waste landfill or MSW landfill" means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA (Resource Conservation and Recovery Act) Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned.

AC. Existing Municipal Solid Waste Landfills (MSW landfills) shall comply with 40 CFR 60, Subpart Cc, which shall be implemented by the Department by requiring compliance with 40 CFR 60, Subpart WWW, as modified by this Section. MSW landfills covered by this Section shall comply with 40 CFR 60, Subpart WWW, as modified by this subsection. 40 CFR 60, Subpart WWW, "Standards of Performance for Municipal Solid Waste Landfills", and no future editions or amendments, is incorporated by reference as of March 12, 1996 (61 FR 9919, Mar. 12, 1996) in R18-2-901.

1. Definitions. In addition to the definitions in 40 CFR 60.751, "Administrator" means the Director of the Arizona Department of Environmental Quality.
2. Reporting. Each MSW landfill shall comply with the reporting requirements of 40 CFR 60.757. The initial design capacity report and initial NMOC emission rate report shall be due 90 days after the effective date of this rule.
3. Design plan. An MSW landfill that is required to install a collection and control system shall submit a design plan for the system to the Director with a Standard Permit Application Form not later than 12 months after it submitted or should have submitted an NMOC emission rate report indicating emissions greater than 50 Mg per year. The design plan shall be prepared by a professional engineer registered in Arizona. The Director shall not approve the design plan if it does not meet the requirements of 40 CFR 60.752(b)(2)(ii).
4. System installation. An MSW landfill that is required to install a collection and control system shall complete installation of the system not later than 30 months after the effective date of this rule.
5. An MSW landfill that first becomes subject to the collection and control system requirement after the effective date of this rule shall submit a design plan for the system to the Director not later than 12 months after it submitted or should have submitted an NMOC emission rate report indicating emissions greater than 50 Mg per year.

B. Instead of the designated facilities described in 40 CFR 60.750, this Section applies to each existing MSW landfill for which construction, reconstruction or modification began before May 30, 1991. MSW landfill emissions shall be controlled at each MSW landfill meeting all of the following conditions:

1. The landfill has accepted waste at any time since November 8, 1987, or has additional design capacity available for future waste deposition.
2. The landfill has a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters.
3. The landfill has a nonmethane organic compound (NMOC) emission rate of 50 megagrams per year or more.

C. The owner or operator of each MSW landfill meeting the conditions described in subsection (B) shall install an emissions collection and control system meeting the requirements of 40 CFR 60.752(b)(2)(ii). By January 1, 1998, or within 1 year after an existing landfill exceeds a NMOC emission rate of 50 megagrams per year, the owner or operator shall submit to the Department a collection and control system design plan prepared by a professional engineer. The emissions collection and control system shall be installed no later than 18 months after submittal of the design plan.

D. In addition to the definitions in 40 CFR 60.751, "Administrator" means the Director of the Department of Environmental Quality.

Other minor changes to the proposed rule were made in R18-2-901, R18-2-1101 and Appendix 2:

1. The text "Last amended May 8, 1996, 61 FR 20734" was misplaced in the proposed rule. It would have been deleted from R18-2-901(2) and added to R18-2-901(5) except that ADEQ has now deleted all such language from the adopted

Arizona Administrative Register
Notices of Final Rulemaking

rule. See number 3, below.

2. The language "or amendments" was added to the incorporation language after "no future editions" in both R18-2-901 and R18-2-1101, to comply more closely to A.R.S. § 41-1038(B). For the same reason, the language "editions or" was inserted between "future" and "amendments" in Appendix 2.
3. The language "Last amended [date][Federal Register cite]" has been deleted in paragraphs (5) and (73) of R18-2-901 and in numerous paragraphs of R18-2-1101. The language was originally intended to help sources find the law that applies to them, because the codified version of amended federal regulations is often not published until months later. However, at best, it duplicates what is already stated in the Section's introductory language, while in some cases, it may cause confusion. The information deleted from the rule text is set forth in this preamble in Section 12, "Incorporations by reference and their locations in the rules".
4. The "Mar. 1992" incorporation date for the Arizona Testing Manual in Appendix 2 is now spelled out as "March 1992".

10. A summary of the principal comments and the agency response to them:

Comment: The date "January 1, 1998," in the proposed rule appears to be inconsistent with the compliance times set forth in EPA 60.36c, subparagraphs (a) and (b).

Discussion: In the proposed rule at R18-2-731(C), ADEQ required sources to submit design plans by January 1, 1998, and installation to be complete no later than 18 months after submittal of the design plan. 40 CFR 60.36c(a) requires installation to be complete 30 months after the effective date of the state rule. ADEQ originally thought that a fixed date would provide more certainty for MSW landfills that have to install these systems. ADEQ now believes that it is better to provide compliance times tied to the effective date of the rule. Accordingly, the final rule requires design capacity reports with initial NMOC reports, if applicable, within 90 days of the effective date of the rule. Submittal of design plans is no longer required by January 1, 1998, but, instead, 12 months after the initial reports. This follows the NSPS. System installation is required 30 months after the effective date of the rule, as required by the EG.

Response: ADEQ has eliminated the specific January 1, 1998, deadline. In addition, ADEQ has moved the language requiring an existing source to submit within a year after it exceeds 50 Mg of NMOC to a Section separate from the requirement for sources whose initial NMOC report is above 50 Mg, since the 2 deadlines were being read as inconsistent.

Comment: The rule does not prescribe a state review and approval period for the control system design plan.

Discussion: As with many other requirements in 40 CFR 60, the design and construction of landfill gas collection and control systems is administered through permit applications and issued permits. R18-2-304(I)(5) allows ADEQ a maximum of 18 months to process a permit application. However, 18 months is the estimated maximum time to process the most complex permits. ADEQ fully expects that all permits for landfills requiring collection and control systems will be issued in less than 12 months after receipt of a complete application.

Response: No change to the rule.

Comment: Recordkeeping and reporting deadlines, such as those for initial reports and annual reports are not set forth in R18-2-731.

Discussion: Wherever possible, ADEQ uses the recordkeeping and reporting requirements that exist in the NSPS for sources that must comply with R18-2-731. This is accomplished by incorporating the NSPS regulation by reference. The exceptions are those deadlines and intermediate compliance dates that are now listed in subsections (C)(2) through (5) of the final R18-2-731.

Response: Deadlines that are different from or in addition to the federal regulation are now listed in the rule.

Comment: The overall schedule for implementation of the landfill rules is too fast. ADEQ should extend the time allowed between the submittal of a design plan to completion of construction from 18 to 24 months under both the existing source and the new source rules. Extensions of compliance times specified in the federal rule are allowed in a state plan, if justification is provided.

Discussion: 40 CFR 60.24(f) provides that states may provide for longer compliance schedules than those otherwise required for a class of facilities provided that the state demonstrates with respect to each class of facilities:

"(1) Unreasonable cost of control resulting from plant age, location, or basic process design;

(2) Physical impossibility of installing necessary control equipment; or

(3) Other factors specific to the facility (or class of facilities) that make application of a less stringent standard or final compliance time significantly more reasonable."

ADEQ notes that 40 CFR 60.24(f) applies only to existing sources that would be affected by R18-2-731 and therefore could not be used to provide a longer compliance schedule for new sources under WWW.

With respect to existing MSW landfills regulated under Subpart Cc and R18-2-731, the commenter did not provide information regarding cost, physical impossibility, or other factors for any facility or class of facilities, but stated that time periods were too short for all facilities affected by the rule. The speed of the overall schedule in R18-2-731 is based on the final compliance deadline in 40 CFR 60.36c, which provides that construction shall be complete "within 30 months after the effective date of a state emission standard for MSW landfills." Under the federal rule, ADEQ could slow down the overall schedule if it could extend the

Arizona Administrative Register

Notices of Final Rulemaking

final compliance deadline. ADEQ is unable to provide a later final compliance date for the entire set of Arizona EG landfills. There must be data to demonstrate the criteria to EPA relative to a particular facility or class of facilities.

ADEQ has set the deadline for submission of a design plan at 12 months after the initial NMOC report. This coincides with the compliance time in the NSPS.

The commenter suggests that a minimum of 24 months is more reasonable than 18 months (from submission of design plan to installation) given the factor of "regulatory review cycles." The regulatory review cycle for air quality permits is, in part, controlled by R18-2-304(I)(5), which allows ADEQ a maximum of 18 months to process a permit application. Under Arizona's unitary permit system, an issued permit is the permit to construct. If ADEQ took the maximum time to process a permit application, it is theoretically possible that after timely submittal of a design plan for a collection and control system, ADEQ would not issue the permit to construct until the day the construction is required to be complete, under the incorporated 30 month final compliance deadline. However, 18 months is the maximum because it is the estimated maximum time to process the most complex permits. ADEQ fully expects that all permits for landfills requiring collection and control systems will be issued less than 12 months after receipt of a complete application.

In addition, ADEQ's statutes and rules for permit processing provide procedures for missed compliance deadlines. R18-2-304(I)(1) provides that "The Director may issue a permit with a compliance schedule for a source that is not in compliance with all applicable requirements at the time of permit issuance." See also A.R.S. § 49-426(I)(3). All MSW landfills that have to submit plans will require permits. Thus, ADEQ has procedures in place that provide for a source's inability to meet a compliance deadline due to it receiving its permit at a late date.

Finally, ADEQ believes that it can initiate the process for longer compliance schedules (or less stringent emission standards) under 40 CFR 60.24(f), at any time before, during, or after permit issuance, by making the required demonstration to EPA. Once approved by EPA, ADEQ would go through the formal process to change its rule and modify the permit, if necessary. This strategy has the advantage of being able to provide EPA the most complete data, since many sources won't have sufficient real world experience until after consultants are hired and bids are sought.

Response: No change to the rule.

Comment: The Arizona rules should clarify the federal design capacity cutoff which says that the regulations apply to landfills which have "a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters" because the determination of the threshold should be at the applicant's discretion, (40 CFR 60.752(a)).

Discussion: ADEQ believes that the sentence which follows the design capacity cutoff in the federal regulations allows for the determination to be at the applicant's discretion. Specifically, the subsequent language in 40 CFR 60.752(a) provides that "The landfill may calculate design capacity in either megagrams or cubic meters for comparison with the exemption values. Any density conversions shall be documented . . ." The language expressly allows the source choice of standards with the condition that density conversions be documented.

Response: No change to the rule.

Comment: The Arizona rule should specify that the "professional engineer" required to prepare design plans for collection and control systems be an "Arizona professional engineer".

Discussion: The requirement for a professional engineer exists because ADEQ has incorporated by reference the language in 60.752(b)(2)(i) ("the owner or operator shall [s]ubmit a collection and control system design plan prepared by a professional engineer to the Administrator within 1 year"). Arizona law currently provides that practice of engineering in the state requires registration as a professional engineer. (See A.R.S. § 32-101 et seq, A.A.C. R4-30-101 et seq) An ADEQ rule requiring an "Arizona professional engineer" to perform the engineering work might therefore be redundant.

However, other ADEQ rules uniformly require that when work is to be performed by a professional engineer, it is to be performed by 1 in registered in Arizona. See, for example, R18-4-118(D), R18-5-410(D), R18-8-1607(E), and R18-9-804(E). If this rule was the only 1 not expressly requiring Arizona registration, it could be construed that this was the agency intent, which is not the case.

Response: R18-2-731(C)(3) has been amended to require that the design plan be prepared by a professional engineer registered in Arizona.

Comment: In addition to the design plan for the collection and control system, other documents required to be submitted to ADEQ should be required to be prepared (sealed) by an Arizona professional engineer, including initial and amended design capacity reports, NMOC emission rate reports, monitoring reports, and closure and equipment removal reports.

Discussion: The federal rule only requires the design plan for the collection and control system to be prepared by a professional engineer. To require other documents submitted to be prepared by a professional engineer, ADEQ would be making its rule more stringent than the federal rule. ADEQ is reluctant to do this without special circumstances justifying it.

ADEQ is confident that the other documents referred to in the comment will be professional and accurate. All plans approved and permits issued at ADEQ are done so under the supervision of a professional engineer so that the quality of relevant intermediate documents is adequately safeguarded. All other sources are allowed to submit size calculations, emission reports, and similar documents without requiring them to be sealed by a professional engineer. This is an important economic factor for small sources. In addition, ADEQ believes that if the preparation and submission of the other additional documents such as secondary modeling, monitoring etc. are the practice of engineering under current Arizona law, as interpreted by the appropriate administering agency,

Arizona Administrative Register

Notices of Final Rulemaking

that law would require them to be prepared by an Arizona professional engineer.

In responding to comments that the federal rule was overly prescriptive and discouraged innovation, EPA stated "the final rule allows sources to design their own collection systems. Design plans must meet certain requirements and be signed by a registered professional engineer, and are subject to agency approval. These changes were made to provide flexibility and encourage technological innovation." ADEQ believes that it is best to be no more stringent than the federal rule requiring that only the design plan be required to be submitted by a professional engineer.

Response: No change to the rule.

Comment: The Arizona rule should have procedures to accommodate the changes that may occur between ADEQ approval of the landfill design plan, and actual construction in recognition of conditions in the field.

Discussion: ADEQ recognizes, and is sensitive to, the regular need to change initial permitted designs, not only to adapt to conditions in the field during construction, but also to react to changing economic conditions and any shifting of business priorities that may occur between permit issuance and completion of construction. As with many other requirements in 40 CFR 60, the design and construction of landfill gas collection and control systems will be administered through permit applications and issued permits. An issued permit for a new source contains conditions for both construction and operation of the source. Thus ADEQ's current permit modification rules, contained in R18-2-317 through 320 apply, and have worked satisfactorily for all source categories for changes in design or construction after issuance of the permit. In general, changes from plans specified in permit would fall into 1 of 3 permit modification categories: 1) changes which can be made without a permit revision but which require prior notice to ADEQ, 2) changes which can be made with a "minor" permit revision and which don't require an opportunity for public comment, and 3) changes that must be made with a "significant" permit revision requiring an opportunity for public comment.

ADEQ is currently in the process of improving this system for Class II permits, but the ADEQ issued permits for sources subject to these landfill rules will be federal Class I permits. Issuance of Class I permits, changes at Class I sources and changes to Class I permits are governed by EPA's regulations at 40 CFR 70, as codified in ADEQ's current modification procedures and recently approved by EPA. ADEQ believes that procedures different from those currently in ADEQ rules may jeopardize that approval.

Response: No change to the rule.

Comment: There is much confusion concerning the federal rules' classification of certain landfills as either new (NSPS) or existing (EG). EPA intends to issue a Federal Register clarification notice. ADEQ should go ahead of EPA and clarify this in its own rules.

Discussion: The commenter gives 5 examples of sources that wouldn't be clearly defined as either new or existing under the federal rules. ADEQ responds to each of them in the concise explanatory statement. However, under ADEQ's rules, there is little difference whether a landfill is new or existing. ADEQ is using the new source emission standards for existing sources as well, so only the dates of compliance are different.

In addition, as a general rule, ADEQ does not believe that it is good policy to attempt to clarify new federal regulations through state rules. It is EPA's goal that landfills be treated uniformly in each of the 50 states. It is better to wait for any federal clarification or guidance than to set down in state rule something that could be superseded by the expected federal action.

Response: No changes to the rules. For more on ADEQ's intent with regard to specific instances, see the concise explanatory statement.

Comment: Although the promulgated landfill rules will cover MSW landfills that received waste after November 8, 1987, state records of such landfills may be incomplete for those that were closed soon thereafter. The commenter asks what ADEQ will do to locate and notify these older sites.

Discussion: ADEQ is confident that these older sites will be located and notified. Outside of this rule making process, but as part of the Section 111(d) plan that ADEQ must send to EPA, there is a requirement for ADEQ to compile a source inventory of landfills in the state that are subject to the EG. ADEQ's Air Quality Division is working with the Waste Programs Division, Solid Waste Unit to assemble this inventory. In addition, many landfills have filed other paperwork with ADEQ over the years such as Notices of Discharge or NOD's, if they were operating after 1987. These records are also available to the Air Quality Division. After the effective date of R18-2-731, ADEQ plans to mail a notice to landfills under its jurisdiction that may be subject to the rule, but from which ADEQ does not have recent information regarding design capacity and landfill activity after November 8, 1987, related to the applicability of this rule. ADEQ will also continue its work with the 3 Arizona counties holding air quality jurisdiction and will assist in the sending of a similar notice from those counties when their rules implementing the EG are complete.

Response: No change to the rule.

Comment: The sources that will be required to obtain Part 70 (Class I) permits should be clarified in the Arizona rule. The comment explains that WWW (60.752) requires landfills with design capacity exceeding certain cutoffs to obtain Part 70 permits, and further points out that some of these won't fall "under the purview of the NSPS and EG rules" because they emit less than 50 Mg of NMOC per year. The commenter asks that this be clarified in the rule.

Discussion: Although landfills that emit less than 50 Mg NMOC/year do not require collection and control systems, they do fall "under" the NSPS and EG rules if they exceed the design capacity cutoffs. Under those rules, the landfill must submit an initial design capacity report and 1 or more NMOC emission rate reports. EPA interprets the general issue of which landfills are subject to rules in its preamble to the landfill rules when it states that only landfills that do not exceed the design capacity cutoffs "are not

Arizona Administrative Register
Notices of Final Rulemaking

subject to standards". (61 FR at 9912)

The federal rule that ADEQ is incorporating clearly states that design capacity is the factor that determines whether or not a landfill subject to the rule is required to obtain a Part 70 permit. 40 CFR 60.752(a) provides: "For purposes of Part 70 permitting, a landfill with a design capacity less than 2.5 million megagrams or 2.5 million cubic meters does not require an operating permit under Part 70 of this chapter." 40 CFR 60.752(b) provides "The owner or operator of an MSW landfill subject to this subpart with a design capacity greater than or equal to 2.5 million megagrams or 2.5 million cubic meters is subject to Part 70 permitting requirements." In fact, EPA states in the next sentence in 60.752(b) that "When a landfill is closed" [that] "never needed control . . . a Part 70 operating permit is no longer required."

Although ADEQ may disagree with EPA's policy of requiring a source to obtain a Part 70 permit when controls are not, and may never be, required, in ADEQ's judgment, which sources require Part 70 permits is clear in EPA's rule (and preamble) and does not need additional clarification in the state rule.

Response: No change to the rule.

Comment: ADEQ should clarify and supplement EPA's procedures on how to estimate NMOC using Tier 2 methods.

Discussion: When federal regulations involving new test methods and procedures are implemented for the first time, a need for clarification often materializes right after the rules become effective that did not seem to exist while the rules were being commented on. Real world experience exposes assumptions that aren't quite right and procedures that could be improved or replaced. If states implementing the regulations had no other choice, the result could be as bad as 50 different sets of clarifications.

In this case, states were to have submitted plans implementing the rule by December 12, 1996, with federal plans to be put in place 6 months after that for states that are still deficient. Although the reasons are discussed in more detail in the concise explanatory statement, ADEQ has determined that, despite some perceived ambiguities, it can implement the federal regulations without changes.

There are at least 2 ways EPA can correct deficiencies: guidance documents, for regulations that need no more than clarification; and text corrections, for regulations that can't be fixed by guidance alone. For corrections that EPA implements by guidance, ADEQ is in a better position to implement the guidance if it stays with identical rules than if it attempts corrections on its own. For corrections that EPA implements by changes to the text, ADEQ is better off waiting for the new federal language than it is trying to guess ahead of time what that language will be. A major premise for states choosing to implement federal regulations is that administration and implementation are more flexible when implemented at the state and local level. Such flexibility is most valuable for the inevitable adjustments that occur at the beginning of a new program.

Response: No changes to the rules. For more on ADEQ's intent with regard to specific instances, see the concise explanatory statement.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None.

12. Incorporations by reference and their locations in the rules:

For simplicity, all existing subsections of R18-2-901 (72 of them), and R18-2-1101 (35 of them) and 5 of the 6 subsections in Appendix 2 have been updated to July 1, 1996. To the best of ADEQ's knowledge, only those listed below were actually amended between July 1, 1995 and July 1, 1996:

Amendments to previous incorporations:

R18-2-901(5) Incorporates 40 CFR 60, Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units (Amended May 8, 1996, 61 FR 20734).

R18-2-1101(B)(2) Incorporates 40 CFR 63, Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j) (Amended May 10, 1996, 61 FR 21370).

R18-2-1101(B)(4-7) Incorporates 40 CFR 63, Subparts F, G, H, and I, for hazardous air pollutants from the synthetic organic chemical manufacturing industry, which has been amended to correct typographical errors (Amended Feb. 29, 1996, 61 FR 7716; and June 20, 1996, 61 FR 31435).

R18-2-1101(B)(9) Incorporates 40 CFR 63, Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities (Amended June 3, 1996, 61 FR 27785).

R18-2-1101(B)(10) Incorporates 40 CFR 63, Subpart N - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks (Amended June 3, 1996, 61 FR 27785).

R18-2-1101(B)(11) Incorporates 40 CFR 63, Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities (Amended June 3, 1996, 61 FR 27785).

R18-2-1101(B)(16) Incorporates 40 CFR 63, Subpart X - Secondary Lead Smelting (Amended June 3, 1996, 61 FR 27785).

R18-2-1101(B)(17) Incorporates 40 CFR 63, Subpart CC - Petroleum Refineries (Amended February 23, 1996, 61 FR 7051; June 12, 1996, 61 FR 29876; and June 28, 1996, 61 FR 33799).

R18-2-1101(B)(19) Incorporates 40 CFR 63, Subpart GG - Aerospace Manufacturing and Rework Facilities (Amended Feb. 9,

Arizona Administrative Register
Notices of Final Rulemaking

1996, 61 FR 4902).

Appendix 2. Incorporates 40 CFR 60, all appendices. Amended April 25, 1996, 61 FR 18260.

Incorporates 40 CFR 61, all appendices. Amended April 25, 1996, 61 FR 18260.

New Incorporations:

R18-2-901. Incorporates 40 CFR 60, Subpart WWW - Municipal Solid Waste Landfills (Promulgated March 12, 1996, 61 FR 9919).

R18-2-1101(B)(21) Incorporates 40 CFR 63, Subpart KK - Printing and Publishing Industry (Promulgated May 30, 1996, 61 FR 27132).

13. Was this rule previously adopted as an emergency rule?

No.

14. The full text of the rules follows:

TITLE 18. ENVIRONMENTAL QUALITY

CHAPTER 2. DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR POLLUTION CONTROL

ARTICLE 7. EXISTING STATIONARY SOURCE PERFORMANCE STANDARDS

R18-2-731. Standards of Performance for Existing Municipal Solid Waste Landfills

ARTICLE 9. NEW SOURCE PERFORMANCE STANDARDS

R18-2-901. Standards of Performance for New Stationary Sources

ARTICLE 11. FEDERAL HAZARDOUS AIR POLLUTANTS

R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)

APPENDIX 2. TEST METHODS AND PROTOCOLS

ARTICLE 7. EXISTING SOURCE PERFORMANCE STANDARDS

R18-2-731. Standards of Performance for Existing Municipal Solid Waste Landfills

A. This Section applies to each municipal solid waste landfill (MSW landfill) at which:

1. Construction, reconstruction, or modification began before May 30, 1991; and
2. Waste was accepted at any time since November 8, 1987, or additional design capacity is available for future waste deposition.

B. For the purposes of this Section, "Municipal solid waste landfill or MSW landfill" means an entire disposal facility in a contiguous geographical space where household waste is placed in or on land. An MSW landfill may also receive other types of RCRA (Resource Conservation and Recovery Act) Subtitle D wastes such as commercial solid waste, nonhazardous sludge, conditionally exempt small quantity generator waste, and industrial solid waste. Portions of an MSW landfill may be separated by access roads. An MSW landfill may be publicly or privately owned.

C. MSW landfills covered by this Section shall comply with 40 CFR 60, Subpart WWW, as modified by this subsection. 40 CFR 60, Subpart WWW, "Standards of Performance for Municipal Solid Waste Landfills", is incorporated by reference in R18-2-901.

1. Definitions. In addition to the definitions in 40 CFR 60.751, "Administrator" means the Director of the Arizona Department of Environmental Quality.
2. Reporting. Each MSW landfill shall comply with the reporting requirements of 40 CFR 60.757. The initial design capacity report and initial NMOC emission rate report shall be due 90 days after the effective date of this rule.
3. Design plan. An MSW landfill that is required to install a collection and control system shall submit a design plan for the system to the Director with a Standard Permit Application Form not later than 12 months after it submitted or should have submitted an NMOC emission rate report indicating emissions greater than 50 Mg per year. The design plan shall be prepared by a professional engineer registered in Arizona. The Director shall not approve the design plan if it does not meet the requirements of 40 CFR 60.752(b)(2)(ii).
4. System installation. An MSW landfill that is required to install a collection and control system shall complete installation of the system not later than 30 months after the effective date of this rule.
5. An MSW landfill that first becomes subject to the collection and control system requirement after the effective date of this rule shall submit a design plan for the system to the Director not later than 12 months after it submitted or should have submitted an NMOC emission rate report indicating emissions greater than 50 Mg per year.

ARTICLE 9. NEW SOURCE PERFORMANCE STANDARDS

R18-2-901. Standards of Performance for New Stationary Sources

Except as provided in R18-2-902 through R18-2-905, the following subparts of 40 CFR 60, New Source Performance Standards (NSPS) and all accompanying appendices, adopted as of July 1, 1995 1996, and no future editions or amendments except for incorporation dates specifically provided, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.

1. Subpart A - General Provisions.

Arizona Administrative Register
Notices of Final Rulemaking

2. Subpart D - Fossil-Fuel-Fired Steam Generators for Which Construction is Commenced After August 17, 1971.
3. Subpart Da - Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978.
4. Subpart Db - Industrial-Commercial-Institutional Steam Generating Units.
5. Subpart Dc - Small Industrial-Commercial-Institutional Steam Generating Units.
6. Subpart E - Incinerators.
7. Subpart Ea - Municipal Waste Combustors for which Construction is Commenced after December 20, 1989 and on or before September 20, 1994 (~~60 FR 65382, Dec. 19, 1995~~).
8. Subpart Eb - Municipal Waste Combustors for which Construction is Commenced after September 20, 1994 (~~60 FR 65419, Dec. 19, 1995~~).
9. Subpart F - Portland Cement Plants.
10. Subpart G - Nitric Acid Plants.
11. Subpart H - Sulfuric Acid Plants.
12. Subpart I - Hot Mix Asphalt Facilities.
13. Subpart J - Petroleum Refineries.
14. Subpart K - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After June 11, 1973, and Prior to May 19, 1978.
15. Subpart Ka - Storage Vessels for Petroleum Liquids for Which Construction, Reconstruction, or Modification Commenced After May 18, 1978, and Prior to July 23, 1984.
16. Subpart Kb - Volatile Organic Liquid Storage Vessels (Including Petroleum Liquid Storage Vessels) for Which Construction, Reconstruction, or Modification Commenced after July 23, 1984.
17. Subpart L - Secondary Lead Smelters.
18. Subpart M - Secondary Brass and Bronze Ingot Production Plants.
19. Subpart N - Primary Emissions from Basic Oxygen Process Furnaces for Which Construction is Commenced After June 11, 1973.
20. Subpart Na - Secondary Emissions from Basic Oxygen Process Steelmaking Facilities for Which Construction is Commenced After January 20, 1983.
21. Subpart O - Sewage Treatment Plants.
22. Subpart P - Primary Copper Smelters.
23. Subpart Q - Primary Zinc Smelters.
24. Subpart R - Primary Lead Smelters.
25. Subpart S - Primary Aluminum Reduction Plants.
26. Subpart T - Phosphate Fertilizer Industry: Wet-Process Phosphoric Acid Plants.
27. Subpart U - Phosphate Fertilizer Industry: Superphosphoric Acid Plants.
28. Subpart V - Phosphate Fertilizer Industry: Diammonium Phosphate Plants.
29. Subpart W - Phosphate Fertilizer Industry: Triple Superphosphate Plants.
30. Subpart X - Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities.
31. Subpart Y - Coal Preparation Plants.
32. Subpart Z - Ferroalloy Production Facilities.
33. Subpart AA - Steel Plants: Electric Arc Furnaces Constructed After October 21, 1974, and On or Before August 17, 1983.
34. Subpart AAa - Steel Plants: Electric Arc Furnaces and Argon-Oxygen Decarburization Vessels Constructed After August 7, 1983.
35. Subpart BB - Kraft Pulp Mills.
36. Subpart CC - Glass Manufacturing Plants.
37. Subpart DD - Grain Elevators.
38. Subpart EE - Surface Coating of Metal Furniture.
39. Subpart GG - Stationary Gas Turbines.
40. Subpart HH - Lime Manufacturing Plants.
41. Subpart KK - Lead-Acid Battery Manufacturing Plants.
42. Subpart LL - Metallic Mineral Processing Plants.
43. Subpart MM - Automobile and Light Duty Truck Surface Coating Operations.
44. Subpart NN - Phosphate Rock Plants.
45. Subpart PP - Ammonium Sulfate Manufacture.
46. Subpart QQ - Graphic Arts Industry: Publication Rotogravure Printing.
47. Subpart RR - Pressure Sensitive Tape and Label Surface Coating Operations.
48. Subpart SS - Industrial Surface Coating: Large Appliances.
49. Subpart TT - Metal Coil Surface Coating.
50. Subpart UU - Asphalt Processing and Asphalt Roofing Manufacture.
51. Subpart VV - Equipment Leaks of VOC in the Synthetic Organic Chemicals Manufacturing Industry.
52. Subpart WW - Beverage Can Surface Coating Industry.
53. Subpart XX - Bulk Gasoline Terminals.
54. Subpart AAA - New Residential Wood Heaters.
55. Subpart BBB - Rubber Tire Manufacturing Industry.
56. Subpart DDD - Volatile Organic Compound (VOC) Emissions from the Polymer Manufacturing Industry.
57. Subpart FFF - Flexible Vinyl and Urethane Coating and Printing.
58. Subpart GGG - Equipment Leaks of VOC in Petroleum Refineries.
59. Subpart HHH - Synthetic Fiber Production Facilities.
60. Subpart III - Volatile Organic Compound (VOC) Emissions from the Synthetic Organic Chemical Manufacturing Industry (SOCMI) Air Oxidation Unit Processes.
61. Subpart JJJ - Petroleum Dry Cleaners.
62. Subpart KKK - Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.
63. Subpart LLL - Onshore Natural Gas Processing; SO₂ Emissions.
64. Subpart NNN - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Distillation Operations (~~60 FR 58237, Nov. 27, 1995~~).
65. Subpart OOO - Nonmetallic Mineral Processing Plants.
66. Subpart PPP - Wool Fiberglass Insulation Manufacturing Plants.
67. Subpart QQQ - VOC Emissions From Petroleum Refinery Wastewater Systems.
68. Subpart RRR - Volatile Organic Compound (VOC) Emissions From Synthetic Organic Chemical Manufacturing Industry (SOCMI) Reactor Processes (~~60 FR 58238, Nov. 27, 1995~~).
69. Subpart SSS - Magnetic Tape Coating Facilities.
70. Subpart TTT - Industrial Surface Coating: Surface Coating of Plastic Parts for Business Machines.
71. Subpart UUU - Calciners and Dryers in Mineral Industries.
72. Subpart VVV - Polymeric Coating of Supporting Substrates Facilities.
73. Subpart WWW - Municipal Solid Waste Landfills.

R18-2-1101. National Emission Standards for Hazardous Air Pollutants (NESHAPs)

A. Except as provided in R18-2-1102, the following subparts of 40 CFR 61, National Emission Standards for Hazardous Air Pollutants (NESHAPs) and all accompanying appendices, adopted as of July 1, ~~1995~~ 1996, and no future editions or amendments except for incorporation dates specifically provided, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart C - Beryllium.
3. Subpart D - Beryllium Rocket Motor Firing.
4. Subpart E - Mercury.
5. Subpart F - Vinyl Chloride.
6. Subpart J - Equipment Leaks (Fugitive Emission Sources) of Benzene.
7. Subpart L - Benzene Emissions from Coke By-Product Recovery Plants.
8. Subpart M - Asbestos.
9. Subpart N - Inorganic Arsenic Emissions from Glass Manufacturing Plants.
10. Subpart O - Inorganic Arsenic Emissions from Primary Copper Smelters.
11. Subpart P - Inorganic Arsenic Emissions from Arsenic Trioxide and Metallic Arsenic Production.
12. Subpart V - Equipment Leaks (Fugitive Emission Sources).
13. Subpart Y - Benzene Emissions From Benzene Storage Vessels.
14. Subpart BB - Benzene Emissions from Benzene Transfer Operations.
15. Subpart FF - Benzene Waste Operations.

B. Except as provided in R18-2-1102, the following subparts of 40 CFR 63, NESHAPs for Source Categories and all accompanying appendices, adopted as of July 1, ~~1995~~ 1996 and no future editions or amendments except for incorporation dates specifically provided, are incorporated by reference. These standards are on file with the Office of the Secretary of State and with the Department and shall be applied by the Department.

1. Subpart A - General Provisions.
2. Subpart B - Requirements for Control Technology Determinations for Major Sources in Accordance with Clean Air Act Sections 112(g) and 112(j).
3. Subpart D - Regulations Governing Compliance Extensions for Early Reductions of Hazardous Air Pollutants.
4. Subpart F - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry.

5. Subpart G - National Emission Standards for Organic Hazardous Air Pollutants from the Synthetic Organic Chemical Manufacturing Industry for Process Vents, Storage Vessels, Transfer Operations, and Wastewater.
6. Subpart H - National Emission Standards for Organic Hazardous Air Pollutants for Equipment Leaks.
7. Subpart I - National Emission Standards for Organic Hazardous Air Pollutants for Certain Processes Subject to the Negotiated Regulation for Equipment Leaks.
8. Subpart L - National Emission Standards for Coke Oven Batteries.
9. Subpart M - National Perchloroethylene Air Emission Standards for Dry Cleaning Facilities.
10. Subpart N - Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks.
11. Subpart O - Ethylene Oxide Emissions Standards for Sterilization Facilities.
12. Subpart Q - Industrial Process Cooling Towers.
13. Subpart R - Gasoline Distribution Facilities (Bulk Gasoline Terminals and Pipeline Breakout Stations) (~~59 FR 64303, Dec. 14, 1994; 60 FR 32912, June 26, 1995; 61 FR 7718, Feb. 29, 1996~~).
14. Subpart T - Halogenated Solvent Cleaning.
15. Subpart W - Epoxy Resins Production and Non-Nylon Polyamides Production.
16. Subpart X - Secondary Lead Smelting.
17. Subpart CC - Petroleum Refineries (~~60 FR 43244, Aug. 18, 1995; 60 FR 49976, Sept. 27, 1995~~).
18. Subpart EE - Magnetic Tape Manufacturing Operations.
19. Subpart GG - Aerospace Manufacturing and Rework Facilities (~~60 FR 45948, Sept. 1, 1995~~).
20. Subpart JJ - Wood Furniture Manufacturing Operations (~~60 FR 62930, Dec. 7, 1995~~).
21. Subpart KK - Printing and Publishing Industry.

APPENDIX 2. TEST METHODS AND PROTOCOLS

The following test methods and protocols are approved for use as directed by the Department pursuant to this Chapter. These standards are incorporated by reference as of July 1, ~~1995~~ 1996 (and no future editions or amendments), except for incorporation dates specifically provided. These standards are on file with the Department and with the Office of the Secretary of State.

1. 40 CFR 51, Appendix M.
2. 40 CFR 60, Appendix A (~~60 FR 47095, Sept. 11, 1995~~), and all other appendices.
3. 40 CFR 61, all appendices.
4. 40 CFR 63, all appendices.
5. 40 CFR 75, all appendices.
6. The Department's "Arizona Testing Manual for Air Pollutant Emissions" (~~Mar. 1992~~) (March 1992).